



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

**CRP No. 5479 of 2025
and CMP.No.27588 of 2025**

R. Mary Latha
W/o. Late. L.Arockianathan, No.42, 44, Balaji
Nagar, Phase-3, Sathuvacheri, Vellore-9.

..Petitioner(s)

Vs

1. Syndicate Bank
Arani Road Branch, Rep. by its Branch
Manager, Having Office at Arani Road, Vellore
2. S. Anthony Francis
S/o. Samuel, No.24/3, Bishop David Nagar,
Vellore.

..Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of Constitution of India, praying to set aside the order and decree dated 22.08.2025 made in I.A.No.04/2025 in A.S.No.43/2024 on the file of Principal District Judge, Vellore, Vellore District, by allowing the present Civil Revision Petition and to pass such other orders as this Honble Court.

For Petitioner(s):	Mr.A.Gouthaman
For Respondent(s):	Mr.R.SREEDHAR FOR R1 R-2- NO APPEARANCE

ORDER

The Civil Revision Petition filed challenging the order dated 22.08.2025 made in I.A.No.04/2025 in A.S.No.43/2024 on the file of Principal District



Judge, Vellore, Vellore District.

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2. Before the Trial Court, the revision petitioner, being the appellant, filed I.A. No.04 of 2025 seeking permission to receive an additional written statement. Admittedly, she is the second defendant in O.S. No.211 of 2019, which was filed by the first respondent Bank against this petitioner as well as the first defendant for recovery of money.

3. Admittedly, the second defendant stood as a guarantor for the loan borrowed by the first defendant. Both parties contested the case before the Trial Court, but the suit was decreed. Against the said decree, A.S. No.43 of 2024 was filed by only the second defendant/guarantor.

4. At the time of verification of the records by the new Trial Judge, the appellant came to know that the acknowledgments had been manipulated by the Bank officials in order to save the period of limitation. The learned counsel also pointed out that the alleged loan was borrowed in the year 2003, but in order to overcome the limitation period, the Bank officials created acknowledgments, which were marked as Exs.A3, A4, A5 and A7.

5. The learned counsel pointed out that all these acknowledgment forms were printed only in the year 2013, but were filled up as though they had been

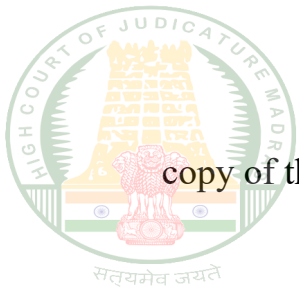


executed in the year 2006. This, according to the petitioner, shows that the records were manipulated. On perusal of one of the records, namely Ex.A5 at page No.96 of the typed set of papers, it appears that the form was printed in the year 2013, whereas the acknowledgment is said to have been given in the year 2009. Therefore, some prima facie material is available in support of the probable defence of the petitioner/second defendant.

6. The learned counsel appearing for the respondent Bank is present and has also made his submissions.

7. It is an admitted fact that the petitioner had already filed a written statement. However, the above defence had not been raised therein. Considering the material irregularity and in order to afford one more opportunity to the petitioner, this Court is inclined to set aside the findings. On considering the additional written statement filed by the petitioner, wherein all the lacunae in the defence have been raised, and in order to provide one more opportunity, this Court is inclined to remand the matter back to the Trial Court.

8. Accordingly, the entire findings of the Trial Court are set aside, and an opportunity is given to all the parties to put forth their respective contentions before the Trial Court. The Trial Court is directed to conduct a fresh trial and dispose of the suit within a period of five months from the date of receipt of a



copy of this order.

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9. Accordingly, this Civil Revision Petition is disposed of. No costs.

Consequently, the connected miscellaneous petition is closed.

04-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MPA

To

1. The Principal District Judge, Vellore, Vellore District.

2. Syndicate Bank

Arani Road Branch, Rep. by its Branch Manager,

Having Office, Arani Road, Vellore.

3. The Section Officer, V.R.Section, High Court, Madras.



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CRP No. 5479 of 2



T.V.THAMILSELVI, J.

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