



WEB COPY

CRP No. 293 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 293 of 2026 and

CMP No.1532 of 2026

1. Aarayi. W/o. Raman,
Keezhapaadi Village,
Sankarapuram Taluk,
Kallakurichi District.
2. Muniyammal, W/o. Chinnakannu
Poraiyur Village, Villuppuram now as
Kallakurichi, Taluk and District.
3. Veerasamy, S/o. Raman
Keezhapaadi Village, Sankarapuram Taluk,
Kallakurichi District.
4. Alamelu, D/o. Raman
Keezhapaadi Village,
Sankarapuram Taluk,
Kallakurichi District.



5. Anjalai, W/o. Ganesan
Keezhapaadi Village,
Sankarapuram Taluk, Kallakurichi District.

6. Chandra, D/o. Raman
Keezhapaadi Village, Sankarapuram Taluk,
Kallakurichi District.

7. Lakshmi, W/o. Duraisamy
Keezhapaadi Village, Sankarapuram Taluk,
Villupuram now as Kallakurichi District.

8. Mallika, D/o Raman
Keezhapaadi Village, Sankarapuram Taluk,
Villupuram now as Kallakurichi District.

Rani (died)

..Petitioner(s)

Vs

1. Chinnammal, W/o. Annappan,
Keezhapaadi Village, Sankarapuram Taluk,
Kallakurichi District.

2. Annamalai, Keezhapaadi Village,
Sankarapuram Taluk, Kallakurichi District.

Respondents



Prayer: Civil Revision petition filed under Article 227 of Constitution of India to set aside the fair and docket order dated 11.07.2024 in I.A. No. 999 of 2023 in OS No. 65 of 2013 on the file of the Learned District Munsif Court at Sankarapuram.

For Petitioner(s): Mr.S.J.Raja Janakiraman

ORDER

This Civil Revision Petition is filed challenging the order passed by the Trial Court, dismissing the application filed by the petitioners/defendants to re-open the case from the stage of arguments and to permit them to adduce further evidence.

2. The respondents herein/plaintiffs filed a suit in O.S.No.65 of 2013 seeking declaration of title and permanent injunction. The trial in the suit was already over. The petitioners/defendants examined two witnesses. Thereafter, at the instance of the petitioners, the Village Administrative Officer, Kilpadi Village was examined as Court Witness and his evidence was recorded as early as on 19.12.2022. Subsequently, the matter has been adjourned from time to time to enable the petitioners to examine further witnesses. Admittedly, defendants' side evidence was closed on 14.09.2023, as the petitioners/defendants failed to produce any other witnesses. When the suit was posted for arguments, instant application has been filed by the petitioners seeking



re-opening of the case. In the affidavit, filed in support of the petition, it was stated by the petitioners that on 14.09.2023, there was no representation on behalf of them, as there was a boycott by the advocates and they also failed to appear before the court due to health condition. Therefore, the petitioners shall be given an opportunity to re-open the case for further evidence.

3. It is seen from the impugned order that after examination of the Village Administrative Officer on 19.12.2022, the suit was simply adjourned from 09.01.2023 to 14.09.2023 to enable the defendants to examine their witnesses. However, they failed to produce any witness for nearly 9 months. Therefore, their evidence was closed on 14.09.2023. The petitioners, in the affidavit, have not given any valid reason for their failure to produce evidence for nine months and they only mentioned about their non appearance on 14.09.2023. Further, it is seen from the records that certified copy of the impugned order was furnished to the petitioners as early as on 21.08.2024, however, they belatedly filed this civil revision petition only on 29.01.2025. Further, the petitioners have not taken any steps to number the revision immediately and managed to number the civil revision petition only in January 2026. The above said narration of facts clearly indicates that the petitioners are not interested in prosecuting the case swiftly and their main aim is to drag on the proceedings. Therefore, I do not find any error in the impugned order passed by the Trial Court.



4. Accordingly, this civil revision petition is dismissed. There shall be no order as to costs. Connected miscellaneous petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MST

To

The District Munsif, Sankarapuram.



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S.SOUNTHAR, J.

MST

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