



WEB COPY

CRP No. 347 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-01-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 347 of 2026 and

CMP.No.1968 of 2026

Kalaivanan

..Petitioner(s)

Vs

1. V. Devika
2. R.D. Selvi
3. R.D. Mohanavel
4. R.D. Uma Shankar
5. R.D. Arun Shankar
6. R.D. Mothi Shankar
Ellammal (Died)
7. The Sub Registrar
Purasawalkam SRO,
Briklin Road,
Otteri,Chennai 12.
8. The Inspector General of Registration
Santhome,Chennai 04.
9. The Assistant Engineer
Nammalwarpet,
Kilpauk,TNEB,
Chennai 10.



10.The Chairman

TNEB, Annasalai,
Chennai 02.

11.The Asst. Engineer

CMWSSB,
Venkatadri Street,
Chennai 12.

12.The Chairman

CMWSSB,
Chennai 02.

..Respondent(s)

Prayer: The civil revision petition filed under Article 227 of Constitution of India praying to set aside the impugned order dated 11.12.2025 in I.A.No.7 of 2025 in O.S.No.202 of 2021 pending on the file of VII Assistant City Civil Court at Chennai.

For Petitioner(s): M/s.Ravindra Ram

For Respondent(s): Mr.N.Muthuvel for R7 & R8
Govt.Advocate(CS)

ORDER

The civil revision petition is filed challenging the order passed by the trial court dismissing the application filed by the petitioner in IA.No.7 of 2025 seeking to re-open the case and recall DW1.

2. It is seen from the typed set of papers that the petition filed by the petitioner herein was allowed by order dated 02.12.2025 on condition that the petitioner shall pay a cost of Rs.2000/- in each of the petition (IA.Nos.7 and 8



of 2025) to the respondents 1 to 6 on or before 11.12.2025. The trial court also imposed a further condition that the petitioner shall lead evidence on the next hearing date on 11.12.2025.

3. When the matter came up for hearing on 11.12.2025, the petitioner filed cost memo before the trial court for having complied with the 1st condition. However, the petitioner failed to produce the witness and lead evidence as per the 2nd condition. Therefore, the court below was pleased to dismiss the petition for failure of the petitioner to comply with the 2nd condition imposed on 02.12.2025.

4. The learned counsel for the petitioner/first defendant submitted that the petitioner produced witness before the trial court and he also appeared before the court and in spite of the same, the petition was dismissed. If it is the case of the petitioner that recording of the trial court is not correct, it is for him to file appropriate application before the very same court seeking to recall the order, when the memory of the court is afresh. The petitioner is not entitled to challenge the order passed by the trial court before superior court on the ground that recording made by it was not correct. Therefore, I do not find anything to interfere with the impugned order passed by the trial court. Accordingly, the civil revision petition stands dismissed.



5. If it is the case of the petitioner that the witness was present on that day and the recordings made by the trial court was not correct, it is open to him to move the very same court by filing appropriate application. Consequently, the connected miscellaneous petitions is closed. No costs.

30-01-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. The Sub Registrar
Purasawalkam SRO,
Briklin Road, Otteri,
Chennai 12.
2. The Inspector General of Registration
Santhome, Chennai 04.
3. The Assistant Engineer
Nammalwarpet, Kilpauk,
TNEB, Chennai 10.
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7. The VII Assistant City Civil Court at Chennai.



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S.SOUNTHAR, J.

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