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CRP Nos. 122 and 123 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP Nos. 122 and 123 of 2026

and CMP Nos.507 and 511 of 2026

Abrar Ahmed
5/2, Kattur Sadayappan Street,
2nd Floor, Periamet,
Chennai-600 003.

Petitioner in both CRPs

Vs

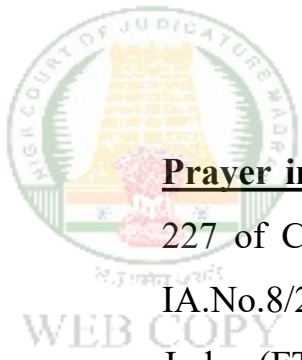
1. Shamshad Begum
No.68/350, Patel Yacoob Sahib Street,
Fort, Vaniyambadi, Vellore.
2. Hajira Nasreen
3. Yasmeen
4. Asfiya

Farooque Ahmed (died)

R2 to R4 are residing at 5/2,
Kattur Sadayappan Street,
2nd Floor, Periamet, Chennai 03.

..Respondent(s)

in both CRPs



Prayer in CRP No.122 of 2026: Civil Revision Petitions filed under Article 227 of Constitution of India to set aside the order dated 9.12.2025 made in IA.No.8/2025 in OS.NO. 54/2016 on the file of Learned Additional District Judge (FTC) Vellore, Vellore Dist.

Prayer in CRP No.123 of 2026: Civil Revision Petitions filed under Article 227 of Constitution of India to set aside the order dated 9.12.2025 made in IA.No.7/2025 in OS.NO. 54/2016 on the file of Learned Additional District Judge (FTC) Vellore, Vellore Dist.

For Petitioner(s): Mr. T.Vardhaman

ORDER

These Civil Revision Petitions are filed challenging the orders passed by the Trial Court, dismissing the applications filed by the petitioners, seeking to reopen the case and to re-call PW1.

2. The first respondent herein/plaintiff filed a suit in O.S.No.54 of 2016 seeking title and possession in respect of the suit property. In the suit, defendants' side evidence was already closed and the suit was posted for arguments. At this stage, the petitioners/defendants 1 and 3 to 5 filed the instant applications and the same were dismissed by the Trial Court. Aggrieved by the same, the petitioners have come before this court.



3. The learned counsel for the petitioners would submit that after completion of trial, while scrutinising the entire case papers, some new

facts came to the knowledge of the petitioners. Therefore, the petitioners want to cross examine PW1 with regard to the facts and hence, the instant applications shall be allowed.

4. It is seen from the impugned order that, PW1 was cross examined on 01.02.2023 and thereafter, PW2 was examined. Then, the petitioners filed an application under Order 18 Rule 17 of CPC to recall PW1 for further cross examination. The said application was allowed and the PW1 was further cross examined on 19.06.2023, 19.07.2023 and 16.08.2023. Thereafter, the first defendant was examined as DW1 and his evidence was closed on 07.11.2025. When the suit was posted for arguments, instant applications have been filed by the petitioners seeking to recall PW1 again. The petitioners were given two opportunities to cross examine PW1 and the PW1 was extensively cross examined earlier, by filing application to recall PW1. In the instant applications, the petitioners have not given any acceptable and specific reason to recall PW1. The vague averments in the petition that some new facts were found by the petitioners and hence PW1 has to be recalled, cannot be permitted, especially when earlier application for recall was already allowed and the



petitioner was given second opportunity to cross examine the PW1. Therefore,
I do not find any illegality or irregularity in the order passed by the Trial Court.

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5. Accordingly, both the civil revision petitions are dismissed. There shall be no order as to costs. Connected miscellaneous petitions are closed.

19-01-2026

Internet: Yes

Index: Yes/No

Neutral Citation: Yes/No

MST

To

The Additional District Judge (FTC),
Vellore, Vellore District.



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S.SOUNTHAR, J.

MST

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