



C.R.P(MD)No.1640 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2026

CORAM

**THE HON'BLE MR. JUSTICE S.SOUNTHAR**

C.R.P.(MD)No.1640 of 2026

and

C.M.P(MD)No.7970 of 2026

R.Manoranjitham

.. Petitioner

Vs.

Muthumanikandan

.. Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the order dated 17.04.2026 passed in I.A.No.4 of 2026 in O.S.No.235 of 2023 on the file of the Additional District Judge, Aruppukottai.

For Petitioner : M/s Jesi Jeeva Priya

\* \* \* \* \*

**ORDER**

The Civil Revision Petition is filed challenging the order passed by the trial Court dismissing the application filed by the petitioner/defendant seeking permission to file an additional written statement.



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2.The respondent herein filed a suit seeking specific performance of the sale agreement dated 28.09.2023. The petitioner herein filed a written statement and contested the suit by raising several grounds.

3.It is seen from the typed set of papers that the petitioner was initially set ex parte. On an application filed by her, the ex parte order was set aside. Thereafter, on 18.07.2024, the respondent examined himself as P.W.1 and one Ponraj as P.W.2. The matter was thereafter adjourned for production of the defendant's side witnesses on 09.04.2025. It is further seen that the petitioner sought nearly eight adjournments and, despite several opportunities granted by the trial Court, failed to produce any witness on her side. Consequently, the defendant's evidence was closed on 29.07.2025 and the matter was posted to 08.08.2025 for arguments.

4.Thereafter, the petitioner filed I.A. No.2 of 2025 seeking to reopen the case, and the said application was allowed on 14.08.2025. Pursuant thereto, the petitioner examined herself as D.W.1 on 26.08.2025. When the matter was adjourned for her cross-examination, the present application came to be filed seeking permission to file an additional written statement.



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5.In the affidavit filed in support of the application, the petitioner stated that the transaction relating to the suit property had been looked after by her husband. It was further averred that, owing to misunderstandings between the petitioner and her husband, he failed to furnish proper instructions to her counsel while filing the written statement. According to the petitioner, she recently noticed that certain material facts had been omitted from the written statement and, therefore, sought permission to file an additional written statement.

6.It is also evident from the records that the petitioner is an advocate and not an ordinary illiterate litigant. The original written statement was verified and signed by the petitioner herself and not by her husband. Having verified the written statement, the petitioner ought to have noticed any omission therein at the relevant point of time and taken immediate steps to rectify the same or, at least, sought leave to file an additional written statement within a reasonable time.

7.Admittedly, the original written statement was filed as early as 19.03.2024. The present application has been filed only after the petitioner had entered the witness box as D.W.1 and when the matter stood posted for her cross-examination.



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8.In such circumstances, the explanation offered by the petitioner that her husband failed to furnish proper instructions to her counsel cannot be accepted. The trial Court has rightly exercised its discretion in dismissing the application. I do not find any illegality or irregularity in the order passed by the trial Court warranting interference of this Court.

9.Accordingly, the Civil Revision Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

29.06.2026

Index :Yes / No  
Internet :Yes / No  
NCC :Yes / No  
skn

To

1.The Additional District Judge, Aruppukottai.

2.The Section Officer, V.R.Section,  
Madurai Bench of Madras High Court,  
Madurai.



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**S.SOUNTHAR, J.**

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