



CRP(MD). No.3616 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 09.01.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

C.R.P(MD). No.3616 of 2025

and

C.M.P(MD) No.19189 of 2025

A.Ravindran

... Petitioner

Vs

R.Umapathy

... Respondent

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 23.10.2025 passed in I.A.No.14 of 2025 in O.S.No.92 of 2011 on the file of the Sub Court, Uthamapalayam by allowing this Civil Revision Petition.

For Petitioners : Mr.R.Murugan

For Respondent : Mr.D.Nallathampi



CRP(MD). No.3616 of 2025

ORDER

WEB COPY

This Civil Revision Petition has been filed challenging the fair and decretal order dated 23.10.2025 passed in I.A.No.14 of 2025 in O.S.No. 92 of 2011 on the file of the Sub Court, Uthamapalayam.

2. The revision petitioner is the plaintiff and the respondent is the 11th defendant in the suit. The brief facts are as follows:

The plaintiff filed a suit for declaration and injunction, in which the first defendant filed the written statement in the year 2011. The present respondent, who was arrayed as the 11th defendant, was impleaded on 17.02.2023. Thereafter, the chief examination of PW1 took place on 14.08.2025 and he was cross-examined on 24.09.2025. The present respondent (D11) filed his written statement on 20.03.2023 and subsequently filed an application to file an additional written statement, which was allowed by the trial Court. Aggrieved by the same, the present revision has been filed by the plaintiff. The application for filing the additional written statement was filed on 10.10.2025, after the completion of the cross-examination of PW1 on 24.09.2025.



CRP(MD). No.3616 of 2025

WEB COPY

3. The learned counsel appearing for the petitioner/plaintiff submitted that the first defendant is the landlord, who had settled the property and thereafter cancelled the settlement. The present respondent is only a tenant. After the cross-examination of PW1, the respondent filed an additional written statement, which is impermissible. The reasons assigned by the trial Court are only to fill up the lacuna in the defence and the respondent (D11), who has no right or authority to interfere in the matter, has made an attempt to fill up the lacuna.

4. The only point for consideration is whether the trial Court was justified in allowing the additional written statement filed on 10.10.2025, when the respondent, who is only a tenant, had already filed his original written statement on 20.03.2023, and when the additional written statement was filed after completion of the chief and cross-examination of PW1 on 24.09.2025.

5. The additional written statement was allowed on payment of costs of Rs.300/- by the trial Court on 23.10.2025. This Court is of the



CRP(MD). No.3616 of 2025

view that the said order warrants interference, as the additional written statement was filed only to fill up the lacuna in the defence.

6. Accordingly, the present Civil Revision Petition is allowed and the order passed by the trial Court is set aside. Consequently, connected Miscellaneous Petition is closed. No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

09.01.2026

Indu

To

The Sub Court, Uthamapalayam.



WEB COPY



CRP(MD). No.3616 of 2025

N.SENTHILKUMAR, J.

Indu

CRP(MD). No.3616 of 2025

09.01.2026