



CRP(MD). No.328 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 10.02.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

C.R.P(MD). No.328 of 2026

1.Mariyammal

2.Pitchai

... Petitioners

Vs

Vijayaragavan

... Respondent

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to call for the records pertaining to the fair and decreetal order passed in I.A.No.323 of 2025 in O.S.No.139 of 2008, dated 03.09.2025 on the file of the District Munsif Court, Thiruvaiyaru and set aside the same and allow the Civil Revision Petition.

For Petitioners : Mr.N.Tamilmani

For Respondent : Mr.A.Sivasubramanian



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ORDER

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This Civil Revision Petition has been filed challenging the order passed in I.A.No.323 of 2025 in O.S.No.139 of 2008 on the file of the District Munsif Court, Thiruvaiyaru, dated 03.09.2025, whereby the learned Judge dismissed the application filed by the petitioner seeking to reopen I.A.No.586 of 2022 and to permit them to adduce evidence and produce documents, holding that the application was filed only to protract the execution proceedings and that no material was placed to substantiate the alleged medical illness of the petitioners.

2. Even in the said application, the petitioners have merely sought permission to reopen the matter without placing any supporting material. It is incumbent upon the revision petitioners to produce necessary documents and evidence to satisfy the Court regarding the reasons for condonation of the inordinate delay of about 12 years. A mere application seeking reopening and permission to adduce evidence, without disclosing the nature of such evidence or producing any supporting material, would not suffice for consideration.



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3. The learned counsel appearing for the respondent submitted that, in the absence of any acceptable explanation for the delay, the plea of illness cannot be accepted. Even assuming such illness, the prolonged delay of 12 years ought to have been properly substantiated by documentary evidence. In the absence of such material, the present application appears to be an afterthought, intended only to delay the proceedings.

4. This Court finds that no material has been placed before the trial Court to substantiate the reasons for reopening the application or to justify the inordinate delay. The trial Court has rightly rejected the application.

5. Therefore, this Court finds no infirmity in the order passed by the trial Court. Accordingly, this Civil Revision Petition is dismissed. No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
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N.SENTHILKUMAR, J.

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