



CRP No. 1185 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 17-03-2026**

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**THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI**

**CRP No. 1185 of 2026**

**AND**

**CMP NO. 6001 OF 2026,CRP NO. 1192 OF 2026,CRP NO. 1194 OF  
2026,CMP NO. 6015 OF 2026,CMP NO. 6023 OF 2026**

1. S.Karpagam,  
D/o.Gopal, No.2/20, Mangammal Lane,  
Seveb Wells, Chennai -600 001.

Petitioner(s)

Vs

1. P.Manish Kumar Jain,  
S/o.L.Prakashmal Jain, No.17, Mulla  
Sahib Street, Sowcarpet, Chennai-600  
079.

Respondent(s)

**CRP No. 1192 of 2026**

1. S.Karpagam,  
D/O. Gopal. No.2/20, Mangammal  
Lane, Seveb Wells, Chennai - 600001.

Appellant(s)

Vs

1. P.Manish Kumar Jain,  
S/O. L.Prakashmal Jain, No.17, Mulla  
Sahib Street, Sowcarpet, Chennai -  
600079.

Respondent(s)

**CRP No. 1194 of 2026**

1. S.Karpagam,  
D/o.Gopal, No.2/20, Mangammal Lane,  
Seven Wells, Chennai-600 001.

Appellant(s)



Vs

1. P.Manish Kumar Jain,  
S/o. L.Prakashmal Jain, No.17, Mulla  
Sahib Street, Sowcarpet, Chennai-600  
079.

Respondent(s)

**CRP No. 1185 of 2026**

**PRAYER**

To set aside the Order and Decretal Order made in I.A.No.8 of 2025 in O.S.No.5024 of 2019, dated 14/11/2025 passed by the Learned XVIII ADDL. CITY CIVIL COURT, CHENNAI, by allowing the Civil Revision Petition and pass such suitable order or other orders as to this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

**CRP No. 1192 of 2026**

**PRAYER**

To set aside the Order and Decretal Order made in I.A.No.6 of 2025 in O.S.No.5024 of 2019, dated 14/11/2025 passed by the Learned XVIII ADDL. CITY CIVIL COURT, CHENNAI, by allowing the Civil Revision Petition and pass such suitable order or other orders as to this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

**CRP No. 1194 of 2026**

**PRAYER**

To set aside the Order and Decretal Order made in I.A.No.7 of 2025 in O.S.No.5024 of 2019, dated 14/11/2025 passed by the Learned XVIII ADDL. CITY CIVIL COURT, CHENNAI, by allowing the Civil Revision Petition

For Petitioner(s): Mr.P.Udaya Kumar

For Respondent(s): Mr.G.Kalyan Jhabakh For  
M/s.Surana And Surana



## **ORDER**

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This Civil Revision Petitions have been filed seeking to set aside the Order and Decretal Order made in I.A.No.6,7 & 8 of 2025 in O.S.No.5024 of 2019, dated 14/11/2025 passed by the Learned XVIII Additional City Civil Court, Chennai.

2. The petitioner herein is defendant in suit OS No. 5024 of 2019, who filed I.A No. 6 of 2025 seeking to condone delay and receive additional documents as exhibits on the petitioner's side and I.A No.7 of 2025 for reopen PW1 side evidence for the purpose of cross examination, and I.A No. 8 of 2025 to recall PW1 side evidence for the purpose of cross examination. On the other hand, the respondent/plaintiff filed the counter. Upon hearing both sides, the Trial Court dismissed the said applications stating that there is no sufficient reason given by the petitioner to produce additional documents belatedly and the petitioner was already cross examined. Simply change of counsel is not a ground to recall a witness unless there is sufficient reason for doing so. Challenging the same, the petitioner filed these petitions.

3. The learned counsel for the petitioner submits that the respondent has filed the suit for specific performance and the petitioner has filed the written statement wherein she disputed the alleged sale agreement relied on by the respondent. Admittedly trial has begun and P.w.1 also cross examined. Now the



petitioner wants to mark the unregistered sale agreement dated 10.05.2010 in order to defend her case. Therefore, the necessity arose for the petitioner to recall and reopen P.w.1 evidence and to mark additional documents. But the Trial Court has failed to give such opportunity to the petitioner otherwise the petitioner will be put to much hardship. Hence, he prays to allow this petition.

4. The learned counsel for the respondent submits that already sufficient opportunity was given to the petitioner to cross examine P.w.1 but without giving sufficient reason and even after closure of evidence she filed the said applications and the said sale agreement is no way connected with present suit. Therefore, the Trial Court rightly dismissed the applications. Hence, he prays to dismiss this petition.

5. Heard both sides.

6. Considering the fact that the respondent filed the suit for the relief of specific performance based on the sale agreement dated 26.07.2011 but the said sale agreement was totally denied by the petitioner stating that said agreement was obtained by fraudulent means and by coercion. Now the petitioner wants to mark one more document to defend her case which is unregistered sale agreement of the year 2010. Admittedly, the petitioner is widow. There was some transaction between the petitioner's husband and the respondent which is also under challenge. If the opportunity is not given to the petitioner her valuable right to defend the case will be defeated, otherwise it will put much hardship on the petitioner. Hence, this Court is inclined to allow these petitions.



Thus, I.A.No.6, 7 & 8 of 2025 in O.S.No.5024 of 2019 is allowed. Further, the respondent is permitted to adduce further evidence and to file additional documents.

7. In the result, these Civil Revision Petitions are allowed. No Costs.

Pending petitions, if any, is/are closed.

**17-03-2026**

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The XVIII Additional City Civil Court, Chennai.
2. The Section officer, V. R Section, High Court, Madras.



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**T.V.THAMILSELVI J.**  
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