



*C.R.P.No.493 of 2025  
and  
C.M.P.No.2842 of 2025*

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.493 of 2025  
and  
C.M.P.No.2842 of 2025

1.Appichi gounder  
2.Tamilselvi  
3.Malathi  
4.Gunasundari

...Petitioners

Vs.

1.Venkatachalam  
2.V.Nagammal  
3.Saraswathi  
4.Bakkiyammal  
5.Gopal  
6.Pongiyammal  
7.Pappathiammal  
8.A.Nallasamy  
9.N.Gopalsamy  
10.Kalliswari  
11.Murugesan  
12.Rajeshwari  
13.L.Kamaleshwari  
14.Padma

... Respondents

For Petitioners : Mr.N.Manoharan  
For Respondents : Mr.D.Selva Raju (R1 to R4)  
: R5, R7, R9, R12, R14(No appearance)  
: R6, R10 & R13 (Not ready in notice)  
: R8 & R11 (died)



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## **ORDER**

This Civil Revision Petition has been filed challenging the order passed by the Trial Court dismissing the application in I.A.No.7 of 2024 in O.S.No.473 of 2018 filed by the petitioners seeking to file their reply statement.

2.The petitioners herein filed a suit for declaration and permanent injunction against the respondents in respect of the suit property. The respondents herein filed the written statement and resisted the suit on various grounds. Thereafter, the instant application has been filed by the petitioners seeking permission of the Court to file their reply statement. In the affidavit filed in support of the application it was stated by the petitioners/plaintiffs that they acquired knowledge about the suit proceedings in O.S.No.476 of 1998 in between the father of the third defendant, father of the first defendant and father of the first plaintiff in the month of September. The first plaintiff has recently got the certified copy of the same. Therefore, in order to refer to the earlier proceedings, the petitioners wanted to file a reply statement.



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3.It is settled law the plaintiffs are entitled to file reply statement to clarify the new facts pleaded in the written statement. A perusal of the written statement filed by the defendants in the present case would indicate that there is no reference about the earlier suit proceedings in O.S.No.476 of 1998 in the written statement filed by the defendants. In such circumstances, the petitioners are not entitled to introduce new facts regarding earlier suit between the parties by way of reply statement. The plaintiffs are not entitled to plead any new facts which have not been pleaded in the original plaint. Therefore, I do not find any error in the order passed by the trial Court in I.A.No.7 of 2024 in O.S.No.473 of 2018. If material facts regarding the subject matter of the suit is omitted to be pleaded in the plaint, it is for the plaintiffs to file an appropriate application and new facts cannot be introduced by way of reply statement. In view of the same, the present Civil Revision Petition stands dismissed. Consequently, connected miscellaneous petition is closed. No costs.

**01.12.2025**

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**S.SOUNTHAR, J.**

To

The Principal District Munsif,  
Bavani.

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and  
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**01.12.2025**