



CRP No. 1794 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-04-2026

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1794 of 2026

AND

CMP NO. 8134 OF 2026

1. S.Mohan

S/o.Subramani, Res. At D.No.39, Big
Street, Kakkalur Village, Pallipattu
Taluk, Thiruvallur District-631 208.

Petitioner(s)

Vs

1. R.V.Gunasekar

S/o. R.C.Varadhan alias Varatharajan,
Res. At D.No.51, Big Street, Kakkalur
Village, Pallipattu Taluk, Thiruvallur
District-631 208.

Respondent(s)

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PRAYER

To set aside the docket order in I.A.No.2 of 2025 in O.S.No.33 of 2025 dated 13.11.2025 on the file of the Honble I Additional District and Sessions Court at Thiruvallur, insofar as posting the matter for amendment.

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For Petitioner(s): MR.R.Sathiyaraj

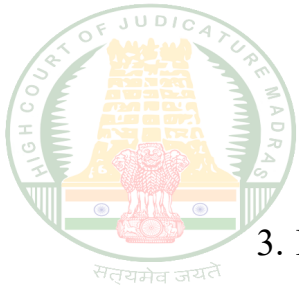
For Respondent(s):

**ORDER**

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This Civil Revision Petition has been filed seeking to set aside the docket order in I.A.No.2 of 2025 in O.S.No.33 of 2025 dated 13.11.2025 on the file of the I Additional District and Sessions Court at Thiruvallur.

2. The learned counsel for the petitioner submits that respondent without filing any amendment petition or any other proper petition and seeking amendment of the leave to defend petition or any pleadings, on 13.11.2025 the learned trial court by closing the said leave to defend petition arbitrarily directed the respondent/defendant herein to include the defects in the main application in I.A No. 2 of 2025(leave to defend petition) itself, instead of filing a separate petition is jurisdictional error, unsustainable and amounts to material irregularity in the exercise of jurisdiction. Further, he submits that in summary suit under Order XXXVII CPC, the procedure is strictly regulated and the defendant must first obtain leave to defend, failing which the plaintiff is entitled to judgement. The posting of the case for amendment without any petition is illegal and the learned trial court acted beyond the jurisdiction vested in it. Hence, he prays to admit this petition.



3. Reason justifiable. Admit. Issue notice to the respondent returnable by

11.06.2026. Private notice is also permitted. Post the matter on 11.06.2026, till then, O.S.No.33 of 2025 pending on the file of the I Additional District and Sessions Court at Thiruvallur, is ordered to be stayed.

07-04-2026

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The I Additional District and Sessions Court at Thiruvallur



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T.V.THAMILSELVI J.
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