

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

WEB COPY

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CRP Nos. 2309, 2310 and 2312 of 2026
and connected CMPs**

C.Nagammal
W/o.Late Chellappan, No.300 Kilpauk
Garden Road, Kilpauk Cemetery (Southern
side), Kilpauk, Chennai 600 010.

Petitioner in the above
three CRPs

Vs

The Madras Cemeteries Board
Rep. by its Secretary, Kilpauk Cemetery
Campus, No.300 Kilpauk Garden Road,
Kilpauk, Chennai 600 010.

Respondent in the above
three CRPs.

Prayer in CRP.No.2309 of 2026: Civil Revision Petition filed against the
Adjudication order dated 18.03.2026 in I.A.No.6 of 2026 in A.S.No.209 of 2025
on the file of learned V Additional Judge (in-charge I Additional Judge) City
Civil Court, Chennai.

Prayer in CRP.No.2310 of 2026: Civil Revision Petition filed against the
Adjudication order dated 18.03.2026 in I.A.No.4 of 2026 in A.S.No.209 of 2025
on the file of learned V Additional Judge (in-charge I Additional Judge) City
Civil Court, Chennai.



Prayer in CRP.No.2312 of 2026 : Civil Revision Petition filed against the
Adjudication order dated 18.03.2026 in I.A.No.5 of 2026 in A.S.No.209 of 2025

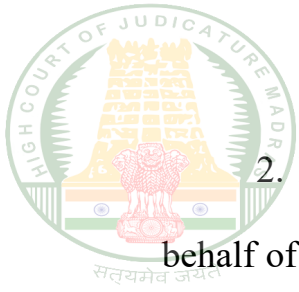
on the file of learned V Additional Judge (in-charge I Additional Judge) City
Civil Court, Chennai.

For Petitioner(s): Mrs.Narmadha Sampath for
Mr.S.Sugumar

For Respondent(s): Mr Mr.T.N.Rajagopalan
for Mr.S.Kumarsankar

ORDER

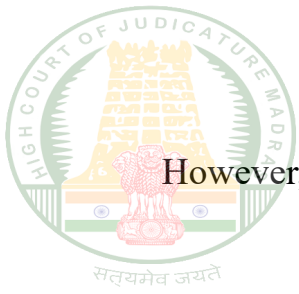
Challenging the docket order/adjudication order dated 18.03.2026 in I.A.Nos.4, 5 and 6 of 2026 passed by the appellate court, the petitioner/appellant has filed the above revisions. The petitioner herein is the appellant in A.S.No.209 of 2025. Before the appellate court, the petitioner/appellant filed 4 applications; I.A.No.6 of 2026 praying to issue subpoena summons to the officer to summon crucial public records; application in I.A.No.4 of 2026 is filed to reject the vakalatnama and application in I.A.No.5 of 2026 to receive additional documents. After numbering, the applications were taken up. The learned Judge has adjourned the applications and ordered to be heard along with main appeal. Aggrieved by the said adjudication in the interim applications, the revision petitioner has preferred the above revisions.



2. Learned counsel for the petitioner submits that vakalatnama filed on behalf of the respondent is not in accordance with law. She further submits that the respondent initially entered appearance in O.S.No.4597 of 2013 by filing a Vakalatnama dated 27.08.2013 in the name of “The Madras Cemetery Board”. Subsequently without obtaining leave of the Court, the said respondent withdrew the said Vakalatnama and filed a fresh Vakalatnama dated 21.04.2015 in a different and substituted name, namely “Madras Cemeteries Board Trust” without following due process of law, namely by filing appropriate applications under Order I Rule 10 CPC (for substitution/addition of parties) and/or Order VI Rule 17 CPC (for amendment of pleadings). In the absence of any such application or order, the very appearance of the respondent in the altered name is not sustainable.

3. The learned counsel for the revision petitioner therefore submits that application in I.A.4 of 2026 is to be heard before enquiry of other applications.

4. Learned counsel for the petitioner further submits that as on date, the nomenclature “The Madras Cemetery Board” is claimed as “Madras Cemeteries Board Trust” and is signed by a person describing himself as an “Authorized Signatory”, however, no authorization letter or any resolution of the Board with regard to change of the nomenclature of respondent has been produced.

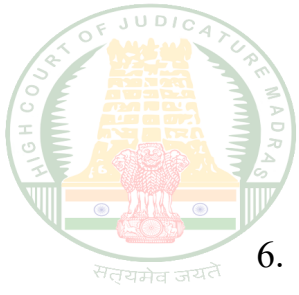


However, issue No.3 has been framed by the trial court which is as under:-

“3. Whether the “Madras Cemeteries Board Trust” as well as “Madras Cemeteries Board” are one and the same as claimed by the defendant?”

The said issue was decided in favour the respondent where the trial court has held that Madras Cemetery Board and Madras Cemeteries Board Trust are one and the same. Therefore objection raised by the counsel for the respondent that I.A.No.4 of 2026 is already dealt with by the Trial Court and is one of the issues in the suit proceedings and answered in favour of the respondent merit acceptance.

5. In such circumstances, now in respect of the issue regarding nomenclature, the petitioner has again filed separate application. Since one of the issues decided by the trial court is involved in the appeal, the appellate court has rightly held that all the applications are to be heard along with the appeal. Therefore, no interference is required in the adjudication order passed by the appellate court dated 18.03.2026. Further, hearing the interim applications along with appeal is right procedure and nothing to interfere with the same. In such circumstances, the Appellate Court is directed to dispose of the appeal within four months from the date of receipt of a copy of this order.



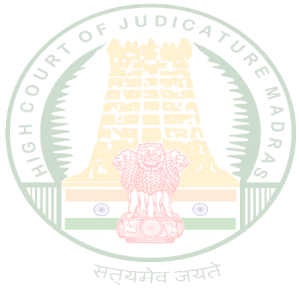
6. The above Civil Revision Petitions are disposed of with the above observation. No costs. Consequently, connected miscellaneous petitions are closed.

12-06-2026

nvsri

To

- 1.The V Additional Judge, City Civil Court, Chennai.
- 2.The I Additional Judge, City Civil Court, Chennai.
- 3.The Section Officer, V.R.Section, High Court, Madras.



WEB COPY

CRP No. 2309 of 2026



T.V.THAMILSELVI J.

nvsri

**CRP Nos. 2309, 2310 and
2312 of 2026**

12-06-2026