

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2160 of 2026

AND

CMP NO. 9440 OF 2026

1. R.Alamelu
W/o.R.Ravichandran, 1/826,
Dr.Ambedkar Nagar, Chettipalayam
Post, Malumichampatti Village,
Coimbatore 641 201

Petitioner(s)

Vs

1. S.P.Natarajan
S/o.Late Palani Gounder, 1/65 Nataraj
Colony Malumichampatty Village,
Coimbatore 641 032.

Respondent(s)

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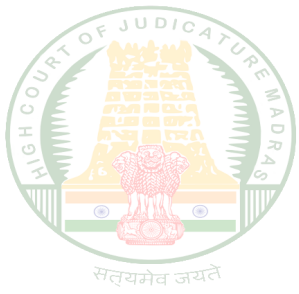
PRAYER

To allow the above revision petition and against the docket order passed in CFR.No.1794/2025 in OS.No.580/2009 dated 20.3.2025 on the file of the First Additional Subordinate Judge, Coimbatore.

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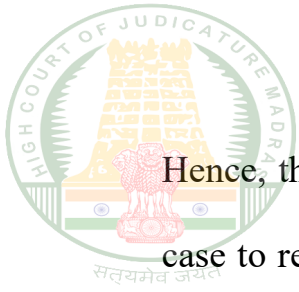
For Petitioner(s): MR.K.S.Jeyaganeshan

For Respondent(s):

**ORDER****WEB COPY**

This Civil Revision Petition has been filed against the docket order passed in CFR.No.1794/2025 in OS.No.580/2009 dated 20.3.2025 on the file of the 1st Additional Subordinate Judge, Coimbatore.

2. The learned counsel for the petitioner submits that the petitioner herein has filed CRP No. 3050 of 2021 before this Court challenging the order passed by the Court below dismissing the application filed by the petitioner to condone the delay of 1641 days in filing the application to set aside the ex-parte preliminary decree dated 16.07.2013. Upon hearing both sides, by an order dated 23.01.2024, this court allowed the Civil Revision Petition with the condition to pay a sum of Rs.10,000/- within a period of four weeks from the date of the order. Thereafter, the petitioner has send Demand Draft for a sum of Rs.10,000/- to the respondent by the registered post and also intimated to the respondent through letter dated 19.02.2024 but the same was intentionally refused by the respondent with the postal endorsement 'Refused'. Subsequently, the petitioner filed a memo dated 19.03.2024 before the Trial court placing on record the returned postal cover carrying the original D.D. Thereafter, the Trial court has erroneously assumed that this Court directed payment of Rs.5,000/- though there was no such direction in the order of the Court and closed the reopening petition filed by the petitioner vide docket order dated 17.12.2024.



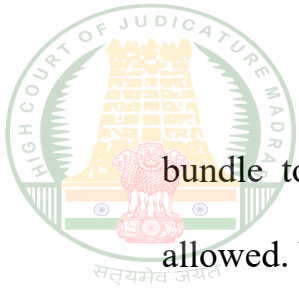
Hence, the petitioner filed application in CFR No. 1794 of 2025 to reopen the case to record the compliance of the order in CRP No. 3050 of 2021 and allow the petitioner to take part in the suit proceedings. But the same was returned by the Trial Court. Aggrieved over the same, the petitioner filed this Civil Revision Petition.

3. Heard the submission of the learned counsel for the petitioner.

4. On perusal of records, it is seen that this Court has allowed CRP No. 3050 of 2021 with the condition to pay a cost of Rs.10,000/- to the respondent and thereafter the petitioner has sent Demand Draft to the respondent along with letter but the same was refused by the petitioner.

5. Admittedly, the petitioner has complied with the conditional order within the time fixed by this Court. Therefore, the Trial Court should have reopened the suit to record the compliance of the order of this Court and allowed the petitioner to take part in the suit proceedings but failed to give such opportunity as such is erroneous and returned the application filed by the Trial Court.

6. Consequently, the Trial Court is directed to take CFR No. 1794 of 2025 on file and dispose the same within a period of 12 weeks from the date of receipt of a copy of this order until then, E.P No. 539 of 2019 in OS No. 580 of 2009 is ordered to be stayed. Registry is directed to return the lower court



bundle to the petitioner, if any. Accordingly, this Civil Revision Petition is allowed. No Costs. Pending petition, if any, is closed.

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Index: Yes/No

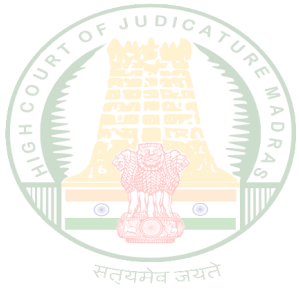
Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The 1st Additional Subordinate Judge, Coimbatore.
2. The Section officer, V. R Section, High Court, Madras.



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T.V.THAMILSELVI J.
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