

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

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CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2185 of 2026

AND

CMP NO. 9536 OF 2026

1. Kishan. R

Proprietor M/s.Coltartinstont, No.7/23,
1st Cross Street, T.T.K. Road, Alwarpet,
Chennai 600 018

Petitioner(s)

Vs

1. T. Viswanath alias T.T.Vadivel
S/o.T.P.Thiyagrajan, No.63, Venkat
Raman Street, Triplicane, Chennai 600
005 And alos at Old No.4, New No.7
Raja Hanumanthala St, Triplicane,
Chennai 005

2.T.T.Bhoopalan
S/o.T.P.Thiyagarajan, No.16/3, Leith
Castle Centre St, Mylapore, Chennai 4
Also at No.24/135, karpagam Avenue,
4th St, Raja Annamalaipuram, Chennai
026

3.T.T.Sumathi
W/o.R.Rajasekaran, No.5, G-2, VIP
Home, Ram Nagar, 1st Street,
Velachery, Chennai 042.

4.T.T.Sai Latha
W/o.S.Mahendran, No.1A, Sai Nagar,
Chinmaya Nagar, Koyambedu,
Chennai. And also at No.5, Bazaar St,
Nesappakkam, Chennai 78

5.T. Girija



W/o.Revikumar, NO.5/11,
Jothiramalingam 1st Street, West
Mambalam, Chennai 33.

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6.T.T.Hemalatha

W/o.Gunasekaran, NO.16, Ladasamy
Koil St, Kudigadu, Sipcot, Cuddalore.

7.The Sub Registrar

Office of the The Sub Registrar,
T.Nagar, No.9, Jeenis Road, Saidapet,
Chennai 015.

Respondent(s)

CRP No. 2185 of 2026

PRAYER

To set aside the order dated 17.3.2026 passed in IA.No.15/2026 in OS.No.6007/2019 pending on the file of Learned XV Assistant City Civil Court, Chennai and cosequently allow the IA.No.15/2026 in OS.No. 6007/2019 as prayed for and pass such further or other orders and thus render justice.

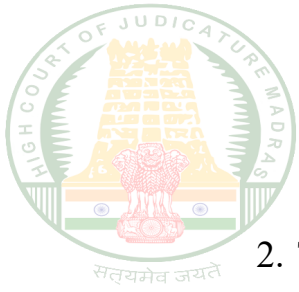
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For Petitioner(s): MR.T.Saikrishnan

For Respondent(s):

ORDER

The petitioner herein filed IA.No.15/2026 in OS.No.6007/2019 on the file of Learned XV Assistant City Civil Court, Chennai, under Order VI Rule 17 CPC, seeking to amend Para Nos. 16 to 20 and cause of action and Court fee column and prayer and memo of valuation in suit. Upon hearing both sides, the Trial Court held that limitation is a mixed question of law and fact, a time barred claim cannot be permitted to be introduced by way of amendment at this stage. Challenging the same, the petitioner filed this Civil Revision Petition.



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2. The learned counsel for the petitioner submits that by an order dated 27.03.2026 in W.P No. 13813 of 2019 was withdrawn by the petitioner before this court with the liberty to pursue the remedy in OS No. 6007 of 2009. However without considering the above order the Trial court dismissed the application. Challenging the same, the petitioner filed this petition.

3. Admit. Issue notice to the respondents through court as well as Lower court counsel returnable by 23.06.2026. Private notice is also permitted.

4. Post the matter on 23.06.2026, till then, OS.No.6007/2019 pending on the file of Learned XV Assistant City Civil Court, Chennai, is ordered to be stayed.

15-04-2026

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

The XV Assistant City Civil Court, Chennai.



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