



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 22-04-2026**

CORAM

**THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI**

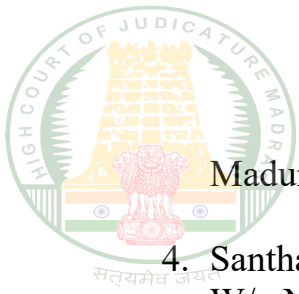
**CRP No. 2486 of 2026  
and CMP.No.10566 of 2026**

1. Venkatarathinam (Died) 1.Kausalya,  
W/o.Late Venkatarathinam,  
Residing at Kammavar Street,  
Keezhkalathur Village, Manamadurai Post,  
Arakkonam Taluk, Ranipet District.
2. Vignesh,  
S/o.Late Venkatarathinam,  
Residing at Kammavar Street,  
Keezhkalathur Village, Manamadurai Post,  
Arakkonam Taluk, Ranipet District.
3. Yogesh,  
S/o.Late Venkatarathinam,  
Residing at Kammavar Street,  
Keezhkalathur Village, Manamadurai Post,  
Arakkonam Taluk, Ranipet District.

..Petitioner(s)

Vs

1. Kasthuri,  
W/o.Gopal, D/o.Late Raguram Naidu,  
Mela Kadu Village, Nagavedu Post,  
Arakkonam Taluk, Vellore District.
2. Thulasi Raman,  
Son of Late Raguram Naidu,  
Residing at FR1, 4th Floor, Vinoth Vishwas,  
No.18, 1st Main Road, Thiruvengadam Nagar,  
Ambatur, Chennai -53.
3. Vijaya,  
W/o.Sundara Babu,  
D/o.Late Raguram Naidu,  
Residing at No.9, 1st Street,  
Sokka Nadar Nagar,



Maduravayal, Chennai -95.

4. Santha,  
W/o.Narayanasamy,  
D/o.Late Raguram Naidu,  
Residing at No.9, 4th Cross Street,  
Janaki Nagar,  
Maduravayal, Chennai -95.

5. Prabhavathi,  
W/o.Late Venkatesan,  
D/o.Raguram Naidu,  
Residing at Big Street,  
Kadapantangal,  
Walaja Taluk,  
Vellore District -632 513.

6. Mohana,  
W/o.Late Udayan,  
D/o.Late Raguram Naidu,  
Mela Kadu Village, Nagavedu Post,  
Arakkonam Taluk,  
Vellore District.

7. Gowri,  
W/o.Prabhakaran, D/o.Late Raguram Naidu,  
Mela Kadu Village, Nagavedu Post,  
Arakkonam Taluk, Vellore District.

8. The Sub Registrar,  
Sub Registrar Office, Nemali,  
Arakkonam Taluk.

9. The Tahsildar,  
Taluk Office, Arakkonam.

..Respondent(s)

### **PRAYER**

Civil Revision Petition filed under Article 227 of Constitution of India, praying to set aside the impugned Common Order dated 02.03.2026 passed by the Learned District Munsif, Arakkonam, in I.A.No.03 of 2025 in O.S.No.105 of



2014 and allow IA.No.03 of 2025 and direct the trial Court to recall PW1 and permit the Petitioners to file the additional proof affidavit and formally mark the original mortgage deed already on record.

For Petitioner(s): MR.K.U.Sale Murugan  
For Respondent(s): MR.R.Sidharth AGP for R8 & R9

### **ORDER**

Before the Trial Court, the plaintiffs filed an application to reopen the evidence and recall P.W.1 for the purpose of marking original documents. However, the Court below dismissed the said application on the ground that the plaintiffs had not stated valid reasons for reopening the case. Aggrieved thereby, the present revision has been filed.

2. The learned counsel for the petitioners/plaintiffs submitted that, at the time of filing the additional proof affidavit, they were unable to produce the original documents. It is further submitted that, after framing of additional issues, the necessity arose to produce and mark the original mortgage deed in order to substantiate their claim.

3. It is the case of the plaintiffs that the suit has been filed for permanent injunction against the defendants and that the suit property had been mortgaged by the father of defendants 1 to 7 in their favour. According to the plaintiffs, possession and patta were also handed over to them. In order to establish the said claim, they seek to mark the original mortgage deed. The Trial Court



dismissed the application, observing that the suit is of the year 2014 and that the plaintiffs have been protracting the proceedings by filing such applications at the stage of trial.

4. However, it is to be noted that the document sought to be marked is the original mortgage deed, which goes to the root of the matter. The plaintiffs have already made necessary pleadings in the plaint regarding the mortgage transaction. Therefore, permitting the plaintiffs to mark the said document would not change the nature of the suit but would only enable proper adjudication of the issues involved.

5. In such circumstances, this Court is of the view that one more opportunity ought to be granted to the plaintiffs to prove their case by marking the original document.

6. Accordingly, the order passed by the Trial Court is set aside, and I.A. No. 3 of 2025 is allowed. The plaintiffs are directed to cooperate for early disposal of the suit, which is of the year 2014.

7. The Trial Court is directed to dispose of the suit within a period of three months from the date of receipt of a copy of this order.



8. In the result, this Civil Revision Petition is allowed. No costs.

Consequently, the connected miscellaneous petition is closed.

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22-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MPA

Note: Issue order copy today ie., 24.04.2026

To

1. The District Munsif, Arakkonam.

2. The Sub Registrar,  
Sub Registrar Office, Nemali,  
Arakkonam Taluk.

3. The Tahsildar,  
Taluk Office, Arakkonam.

4. The Section Officer, VR section,  
High Court of Madras.



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**T.V.THAMILSELVI, J.**

**MPA**

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