



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

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

**CRP No. 4182 of 2025
and CMP.No.21487 of 2025**

G.K.Changali
W/o. G.Kannan No. 45, Nattu Pillayar Koil Street,
Chennai 001

..Petitioner(s)

Vs

B.Bramaramba
W/o. Narasimha Rao, Door No. 21/10, Temple
Road, Kilpauk, Chennai 010

..Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, praying to set aside the order and decree dated 25.08.2025 passed in IA No. 6 of 2025 in OS No. 367 of 2019 on the file of 5th Assistant Judge, City Civil Court, Chennai and to grant unconditional leave to defend the suit by the petitioner herein and thus render justice.

For Petitioner(s):	MR.A.C.KUMAFRAGURUBARAN
For Respondent(s):	MR.V.V.RAVICHANDRAN

ORDER

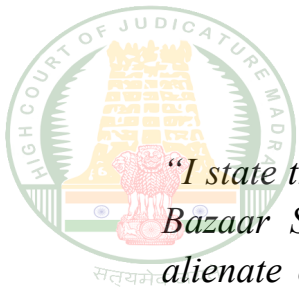
Challenging the order passed by the Trial Judge in I.A. No. 6 of 2025 in O.S. No. 367 of 2019 dated 25.08.2025 on the file of the V Assistant Judge, City Civil Court, Chennai, the first defendant has preferred the present Civil Revision Petition.



2. The learned counsel for the revision petitioner submitted that, while allowing I.A.No.6 of 2025 seeking unconditional leave, the Trial Court imposed a condition directing the petitioner to deposit a sum of Rs.4,04,681/-. It is contended that the said condition is onerous and, therefore, the present revision has been filed. The learned counsel further submitted that the suit is one for recovery of money and that the petitioner has a valid defence to dispute the claim of the plaintiff. However, the Trial Court has erroneously directed deposit of the entire amount, which is illegal and liable to be set aside.

3. Per contra, the learned counsel appearing for the respondent/plaintiff submitted that the petitioner is attempting to protract the proceedings and that the Trial Court has rightly imposed the condition.

4. When the matter was taken up, the learned counsel for the revision petitioner submitted that the petitioner is unable to deposit the said amount, as the claim itself is under dispute. However, she expressed her willingness to furnish security for the suit claim by offering an immovable property and undertook not to alienate or encumber the same till the disposal of the suit. In this regard, she has produced a copy of the sale deed along with property particulars, stating as follows:



“I state that I am the absolute owner of the property bearing Door No. 7-1-71, Bazaar Street, Nayudupet – 524126, Andhra Pradesh, and that I will not alienate or encumber the same in any manner till the disposal of the suit. I further state that the title deed is in Telugu language and, therefore, I have filed a translated copy along with a photocopy of the original and the encumbrance certificate. I request this Court to record my undertaking in this Civil Revision Petition.”

5. The learned counsel appearing for the respondent/plaintiff, on instructions, submitted that the said property may be accepted as security, subject to the condition that the petitioner shall not create any encumbrance over the same till the disposal of the suit.

6. Recording the said undertaking, the petitioner is directed to keep the said property as security for the suit claim and shall not alienate or encumber the same in any manner till the disposal of the suit.

7. With the above observation, this Civil Revision Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed. The undertaking affidavit filed by the petitioner shall form part of this order.

20-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
MPA

To

1. The 5th Assistant Judge, City Civil Court, Chennai.
2. The Section Officer, V.R.Section, High Court, Madras.



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T.V.THAMILSELVI, J.

MPA

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