



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:25.09.2026

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THE HON'BLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI

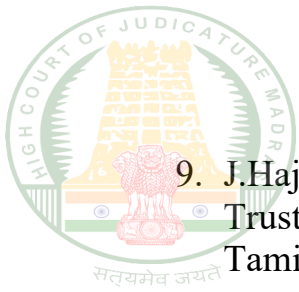
A Nos. 435 and 436 of 2026

in

C.S. Nos.502 and 520 of 2019

A.No.435 of 2026

1. Tamil Nadu Muslim Munnetra Kazhagam Trust
represented by its Chairman M.H.Jawahirullah
2. M.H.Jawahirullah
Chairman,
Tamil Nadu Muslim Munnetrakazhagam Trust
3. N.Shafiullah Khan
Treasurer,
Tamil Nadu Muslim Munnetra Kazhagam Trust
4. P.Abdul Samad
Trustee,
Tamil Nadu Muslim Munnetra Kazhagam Trust
5. E.Ummar
Trustee,
Tamil Nadu Muslim Munnetra Kazhagam Trust
6. Kunnangudi R.M.Haneeefa
Trustee,
Tamil Nadu Muslim Munnetra Kazhagam Trust
7. P.M.R.Shamsudeen
Trustee,
Tamil Nadu Muslim Munnetra Kazhagam Trust
8. P.Shahul Hameed
Trustee,
Tamil Nadu Muslim Munnetra Kazhagam Trust



9. J.Haja Gani
Trustee,
Tamil Nadu Muslim Munnetra Kazhagam Trust

10.S.Mydeen Sait Khan
Trustee,
Tamil Nadu Muslim Munnetra Kazhagam Trust

11.M.Sathik Basha
Trustee,
Tamil Nadu Muslim Munnetra Kazhagam Trust

12.A.Sadiq Ali
Trustee,
Tamil Nadu Muslim Munnetra Kazhagam Trust

13.I.Abdul Rahim
Trustee,
Tamil Nadu Muslim Munnetra Kazhagam Trust

..Applicants

Vs

1. S.Hyder Ali
2. S.K.Samsudeen
Trustee,
Tamil Nadu Muslim Munnetra Kazhagam Trust
No.7, Vadamaracoir Street, Mannady, Chennai

..Respondents

A No. 436 of 2026

Tamil Nadu Muslim Munnetra Kazhagam
Represented by its General Secretary (Incharge)
J.Hajagani,
No.7, Vadamaracoir Street, Mannady,
Chennai

..Applicant

Vs

S. Hyder Ali

..Respondents



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A No. 435 of 2



Order QR

A No. 435 of 2026

To reopen plaintiffs side evidence in C.S.No.502 of 2019.

A No. 436 of 2026

To reopen plaintiffs side evidence in C.S.No.520 of 2019.

A No. 435 of 2026

For Applicants: Mr. N.A. Nissar Ahmed, Senior Advocate
for Mr.N.A. Nassir Hussain

For Respondents: Mr. S.S. Rajesh for R1

A No. 436 of 2026

For Applicant: Mr. N.A. Nissar Ahmed, Senior Advocate
for Mr.N.A. Nassir Hussain

For Respondent: Mr. S.S. Rajesh

Common Order

These applications have been filed seeking to reopen the plaintiff side evidence in C.S.No.502 of 2019 and 520 of 2019 and to permit the plaintiff to let in further evidence.

2.The applicants are plaintiffs in the above suits. The 1st plaintiff in the above suits is stated to be Tamil Nadu Muslim Munnetra Kazhagam Trust, constituted under a registered deed in the year 2003. The suit relates to the disciplinary action taken against the 1st defendant and the consequential declaration and injunction sought by the plaintiffs. The connected proceedings

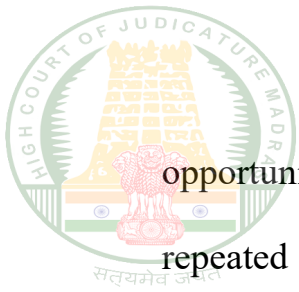


in C.S.No.391 of 2019 and 520 of 2019 arise out of the same dispute between the parties.

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3.It is not in dispute that the suits have been directed to be tried jointly / simultaneously in terms of the orders passed by this Court. After framing of issues on 12.09.2022, the parties were directed to furnish the list of documents and witnesses and the matter was thereafter taken up for recording of evidence. On the side of the plaintiffs, P.W.1 & P.W.2 were examined and since P.W.3 subsequently fell ill and was incapacitated from completing his evidence and from submitting himself to further cross examination. It is stated that in those circumstances, the plaintiffs proposed to close the evidence of P.W.3 and sought permission to examine other witnesses on certain aspects relating to the Trust and the subject matter of the suit. The matter was thereafter placed before this Court on 03.12.2025. According to the applicants, instead of merely closing the evidence of P.W.3, this Court closed the entire plaintiff side evidence and directed the matter to proceed with the defendant side evidence. The applicants now contend that, unless the plaintiffs' side evidence is reopened, the plaintiffs would be seriously prejudiced in establishing their case.

4.The applications are opposed by the respondents. It is contended that the applications are devoid of bona fides and have been filed only to protract the proceedings. It is pointed out that after commencement of trial, several



opportunities were granted to the plaintiffs to complete their evidence. Despite repeated directions, the plaintiffs have not furnished any definite particulars regarding the witnesses whom they now propose to examine. Even in the present application, neither the identity nor the number of proposed witnesses nor the precise nature of the evidence proposed to be adduced has been disclosed. It is further contended that on 03.12.2025, after hearing the respective parties, this Court consciously closed the plaintiffs' side evidence and directed the matter to proceed with the defendant side evidence. The matter was thereafter posted before the learned Master. The respondents contend that the plaintiffs had accepted the said course and did not immediately seek reopening of the evidence. It is therefore, submitted that the present applications constitute an attempt to reopen a stage of the trial which had already been concluded after adequate opportunity.

5. Heard and records perused.

6. No doubt, the power to reopen evidence is discretionary and it is intended to advance the cause of justice. At the same time, such power cannot be exercised as a matter of course. A party seeking to reopen must place before the Court a satisfactory and specific explanation as to why the evidence could not be adduced earlier and must also disclose the nature of the evidence proposed to be adduced. Reopening cannot be permitted merely on the basis of a vague



assertion that some further or substantial evidence remains to be let in.

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7. In the present case, the plaintiffs have not furnished the particulars necessary for this Court to exercise such discretion. The applications do not disclose with reasonable specificity the identity of the proposed witnesses, the number of witnesses, the precise facts which each witness is expected to prove, or the documents, if any, which are propose to be marked through them. The applicants have failed to satisfy this Court that there is sufficient cause for reopening the plaintiffs' side evidence.

8. Accordingly, these applications are dismissed. The plaintiffs side evidence shall remains closed. The suits shall proceed from the stage at which they presently stand.

25.09.2026

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

VSN



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A No. 435 of 2



Order QR

K.GOVINDARAJAN THILAKAVADI J.

VSN

**A Nos. 435 and 436 of 2026
in
C.S. Nos.502 and 520 of 2019**

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