



WEB COPY

CRP No. 1352 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1352 of 2026

and

CMP.No.6599 of 2026

1. Arumugam
S/o.Viswanathan Nadu Street Ko.
Adhanur Village and Post Vridhachalam
Taluk Cuddalore District

Petitioner(s)

Vs

1. Ramesh
S/o.Desingu Ko. Adhanur Village and
Post Vridhachalam Taluk Cuddalore
District

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of Constitution of India, praying to set aside the Fair and Decretal order dated 22.01.2026 made in IA.No.23 of 2026 in OS No.51 of 2022 on the file of the II Additional District Munsif, Vridhachalam by allowing this CRP

For Petitioner(s): MR.C.Munusamy

For Respondent(s):

ORDER

Challenging the impugned order passed in I.A. No.23 of 2026 in O.S. No.51 of 2022 on the file of the II Additional District Munsif Court, Vridhachalam, the first defendant has preferred this revision.



2. Before the trial Court, the first defendant filed an application under Section 151 CPC read with Section 35 of the Indian Stamp Act and Sections 17 and 49 of the Indian Registration Act, to eschew Ex.A1 and Ex.A2, which are xerox copies of an unregistered partition deed, on the ground that the said documents are not admissible in evidence and cannot be marked during trial.

3. The said application was contested by the plaintiff stating that the original documents are in the custody of the first defendant and in spite of notice, he denied the same, and therefore the plaintiff produced xerox copies. He further contended that the documents are admissible subject to proof and hence cannot be eschewed at this stage.

4. Considering the submissions on both sides, the learned trial Judge held that Ex.A1 and Ex.A2 are admittedly xerox copies of an unregistered partition deed, but the documents have already been marked and the question of admissibility, relevancy, and evidentiary value can be decided only after appreciation of evidence at the time of final disposal of the suit. Hence, the petition to eschew the documents at this stage was dismissed. Aggrieved by the same, the present revision has been filed.



5. On perusal of the records, it is seen that the suit is one for partition and the plaintiff relies upon the said documents. The plaintiff has stated that the originals are in the custody of the first defendant, but the same was denied by him, and therefore xerox copies were produced. Mere marking of a document does not amount to proof of its contents. The question whether the xerox copies of the unregistered partition deeds have evidentiary value or not can be decided only after completion of the trial.

6. The view taken by the trial Court is justifiable and requires no interference. However, the trial Court is directed to consider the admissibility and evidentiary value of Ex.A1 and Ex.A2 at the time of final disposal of the suit.

7. With the above direction, this Civil Revision Petition is disposed of. Consequently, connected miscellaneous petition is closed. No Costs.

18-03-2026

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

1. The II Additional District Munsif,
Vridhachalam.

2. The Section Officer, VR Section,
High Court of Madras, Chennai.



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T.V.THAMILSELVI J.
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