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CRP No. 1501 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

CRP Nos. 1501, 1513 and 1514 of 2025

and

CMP No. 8836 OF 2025

CRP.No.1501 of 2025

Subramaniam
S/o. Elumalai, Meanvayan Street,
Salathampatti, Sooramangalam Post,
Salem Taluk and District
Pincode-636005.

..Petitioner in all
CRP's

Vs

M.Palanivel
S/o.Mottaya Gounder,
Paavaye Vattam, Kaattuvalavu, Salathampatty,
Sooramangalam Post, Salem Taluk and District
Pin code-636005.

..Respondent in all
CRP's

Prayer in CRP No. 1501 of 2025:

Civil Revision Petition filed under Article 227 of Constitution of India to set aside the Fair and decreetal order dated 29.11.2024 passed in IA No 8 of 2024 in OS No.18/2014 on the file of the II Additional District Munsif, Salem.

Prayer in CRP No. 1513 of 2025

Civil Revision Petition filed under Article 227 of Constitution of India to set aside the Fair and decreetal order dated 29.11.2024 passed in IA No



7 of 2024 in OS No.18/2014 on the file of the II Additional District Munsif,
Salem.

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Prayer in CRP No. 1514 of 2025

Civil Revision Petition filed under Article 227 of Constitution of India to set aside the Fair and decreetal order dt.29.11.2024 passed in IA No 9 of 2024 in OS No.18/2014 on the file of the II Additional District Munsif, Salem.

For Petitioner
(in all CRP's):

Mr.P.Jagadeesan

For Respondents
(in all CRP's):

Mr.D.Shiva Kumaran

Common Order

These Civil Revision Petitions have been filed challenging the impugned order dated 29.11.2024 passed in I.A.Nos.7,8 and 9 of 2024.

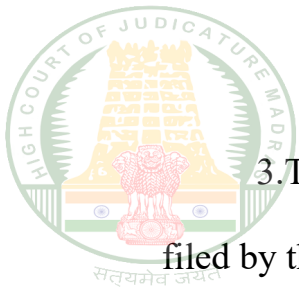
2. The aforesaid applications were filed by the petitioner seeking for the following reliefs:

(a) To re-open the evidence of P.W.1.

(b) To send the disputed documents to the finger print expert under

Section 45 of the Indian Evidence Act,1872.

(c) To send the disputed document from the Sub Registrar to the Court.



3. The Trial Court under the impugned order has rejected the applications filed by the petitioner on the following grounds:

(i) The petitioner has filed the applications belatedly i.e., only in the argument stage in the suit.

(ii) The petitioner having filed a suit to declare the disputed document as null and void ought to have filed the applications at the inception stage itself but has chosen to file the same in the argument stage, in the main suit.

(iii) The intention of the petitioner is only to drag on the proceedings in the suit.

4. The petitioner is the plaintiff in the suit in O.S.No.18 of 2014 on the file of the II Additional District Munsif, Salem. The suit was filed to declare the Sale Deed standing in the name of the respondent/defendant as null and void. The petitioner has also sought for other reliefs in the suit.

5. When the petitioner's case is that the Sale Deed standing in the name of the respondent/defendant is a fabricated document, the relief sought for in the interlocutory applications viz., I.A.Nos.7,8 and 9 of 2024 could have been sought for at the inception of filing the suit itself. However, the petitioner for the reasons best known to him has filed the interlocutory applications only at the time when the suit was ripe for arguments and the trial was completed. The Trial Court has rightly rejected the interlocutory applications filed by the



petitioner on the ground of inordinate delay on the part of the petitioner to file the interlocutory applications. Having taken a categorical stand that the Sale

Deed standing in the name of the respondent/defendant is a fabricated document, the petitioner ought not to have waited for the arguments to commence in the main suit for filing interlocutory applications, seeking for the reliefs as prayed for therein. The Trial Court while dismissing the applications filed by the petitioner has observed that only to drag on the proceedings in the main suit, the petitioner has filed the interlocutory applications. The petitioner is the plaintiff in the suit. The initial burden to prove the petitioner's case is vested only with the petitioner. Having taken a categorical stand that the Sale Deed standing in the name of the respondent/defendant is a fabricated document, the petitioner ought to have produced documentary evidence and if required ought to have filed appropriate applications at the inception itself to prove that the Sale Deed standing in the name of the respondent/defendant is a fabricated document. Having failed to do so, the question of entertaining the applications filed by the petitioners in the argument stage of the suit by the Trial Court does not arise. The Trial Court has rightly rejected the petitioner's contentions and dismissed the interlocutory applications filed by the petitioner.

6. This Court does not find any infirmity in the reasons given by the trial Court for dismissing the petitioner's applications. Accordingly, there is no merit in these Civil Revision Petitions and these Civil Revision Petitions are



dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

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

To

The II Additional District Munsif, Salem.



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ABDUL QUDDHOSE J.

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