



WEB COPY

CRP No. 4916 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-08-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

CRP Nos. 4916 & 4918 of 2026 AND
CMP Nos. 21474 & 21472 of 2026

CRP No. 4916 of 2026

1. Revathi

2. Jayakumari

..Petitioner(s)

Vs

1. Dasarathan

2. Senthilkumar

3. Ayyanar

4. Sivagami

5. Saroja

..Respondent(s)

CRP No. 4918 of 2026

1. Revathi

2. Jayakumari

..Appellant(s)

Vs

1. Dasarathan

2. Senthilkumar

3. Ayyanar

4. Sivagami

5. Saroja

..Respondent(s)

**CRP No. 4916 of 2026**

Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the order dated 07.04.2026 in I.A.No.11 of 2026 in O.S.No.49 of 2018 passed by the learned Principal District Judge at Villupuram and to allow the said application.

CRP No. 4918 of 2026

Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the order dated 07.04.2026 in I.A.No.10 of 2026 in O.S.No.49 of 2018 passed by the learned Principal District Judge at Villupuram and to allow the said application.

In both cases

For Petitioner(s): Mr.M.V.Seshachari

COMMON ORDER

These Civil Revision Petitions have been filed under Article 227 of the Constitution of India challenging the fair and decretal orders dated 07.04.2026 in I.A.Nos.11 & 10 of 2026 in O.S.No.49 of 2018 respectively, on the file of the learned Principal District Judge at Villupuram, wherein the applications filed by the petitioners/plaintiffs for reopening the case and directing the first defendant to produce the original Will, came to be dismissed by the Court below.

2.This Court heard the learned counsel for the petitioners and carefully perused the materials available on record. This Court also carefully went through the order passed by the Court below.



3.The applications were filed by the petitioners for reopening and for directing the first defendant to produce the Will, based on an answer that was given by the first defendant during the cross examination to the effect that if the original Will is called for, it can be produced before the Court. Ultimately, the first defendant while contesting the applications filed by the petitioners in I.A.Nos.10 and 11 of 2026 took a stand that he does not possess the original. In such a scenario, the Court below has rightly held that the party cannot be compelled to produce the original document which the party denies having possessed. At the best, in a case of this nature, the petitioners can argue before the Court to take an adverse inference on the conduct of the first defendant in not producing the original Will.

4.In the light of the above discussion, the orders dated 07.04.2026 passed by the Court below in I.A.Nos.11 & 10 of 2026 in O.S.No.49 of 2018 is not liable to be interfered with by this Court. Accordingly, the Civil Revision Petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

19-08-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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CRP No. 4916 of 2



N.ANAND VENKATESH J.

SLI

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To

The Principal District Judge,
Villupuram.

CRP Nos. 4916 & 4918 of 2026 AND
CMP Nos. 21474 & 21472 of 2026

19-08-2026