

C.R.P(MD)No.2008 & 2009 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2026

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THE HON'BLE MR. JUSTICE S.SOUNTHAR

C.R.P.(MD)No.2008 & 2009 of 2026

and

C.M.P(MD)No.9597 of 2026

1.Velu
2.Mariammal
3.Jebakumar

.. Petitioners in both petitions

Vs.

1.Samuthiram
2.Gopal
3.Iyyappan
4.Muthukutti
5.Thangamani
6.Arjunan

.. Respondents in both petitions

COMMON PRAYER: civil revision petitions filed under Article 227 of the Constitution of India to set aside the fair and decretal order passed in I.A.No.23 and 24 of 2026 in O.S.No.410 of 2019 on the file of the 2nd Additional District Munsif Court, Tirunelveli dated 18.06.2026.

In both petitions:

For Petitioners : Mr.V.Karthick Raja



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COMMON ORDER

These Civil Revision Petitions are filed challenging the common order passed by the trial Court dismissing the applications filed by the petitioners seeking to reopen the case and to summon the Sub-Registrar and the Land Assignment Officer as witnesses in the suit.

2.The petitioners herein filed a suit for bare injunction against the respondents. According to the petitioners, the suit property is their ancestral property. They also claim right over the suit property under a release deed executed by some of the sharers, dated 15.10.2014.

3.The respondents herein filed their written statement denying the right and possession of the petitioners over the suit property. According to the respondents, the total extent of land situated in Survey No.190/2 is 2 acres and 11 cents, and more than one acre of land in the said survey number had been assigned in favour of the defendants nearly 100 years ago. Thus, denying the right and possession of the petitioners over the suit property, the respondents resisted the suit.



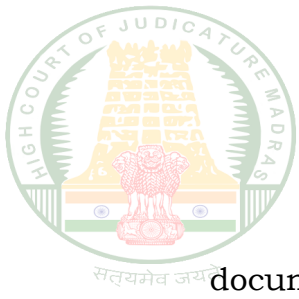
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4.The trial in the suit has been completed and the matter has been posted for arguments. At that stage, the petitioners filed the present applications seeking to reopen the case and to summon the Sub-Registrar and the Land Assignment Officer as witnesses. Those applications were dismissed by the trial Court by a common order. Aggrieved by the same, the petitioners have filed these Civil Revision Petitions.

5.The learned counsel appearing for the petitioners would submit that the examination of the Sub-Registrar is necessary to prove the petitioners' earlier document registered as Document No. 763 of 1992. The learned counsel would further submit that since the defendants claim right over the suit property based on a land assignment made by the Government, it is necessary to examine the Land Assignment Officer as a witness.

6.The petitioners have not referred to the document of the year 1992 anywhere in their pleadings. In the absence of any foundational plea, they are not entitled to adduce evidence with regard to the said document. Moreover, if the petitioners intend to rely upon a registered



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document, production of its certified copy and marking of the same before the trial Court would be sufficient, and examination of the Sub-Registrar is not necessary.

7.The petitioners have filed the suit for permanent injunction based on their alleged possession. It is for them to establish their case on the strength of their own evidence. Merely because the defendants rely upon certain land assignment orders, the petitioners cannot insist upon examining the Land Assignment Officer as a witness. I do not find any irregularity, illegality or infirmity in the order passed by the trial Court dismissing the applications.

8.Accordingly, these Civil Revision Petitions stand dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

27.07.2026

Index :Yes / No

Internet :Yes / No

NCC :Yes / No

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To

1.The 2nd Additional District Munsif Court,
Tirunelveli.

2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

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S.SOUNTHAR, J.

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