



C.R.P(MD)No.2227 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2026

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THE HON'BLE MR. JUSTICE S.SOUNTHAR

C.R.P.(MD)No.2227 of 2026

and

C.M.P(MD)No.10691 of 2026

C.Selvakumar

.. Petitioner

Vs.

1.Athiyarajan
2.Athignanakumaran
3.Indira
4.Rajkumar
5.M.Raja
6.Raja
7.Rajasekar

.. Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to call for the records relating to I.A. No. 7 of 2026 in O.S. No. 174 of 2018 on the file of the Court of the VI Additional District Judge, Madurai and set aside the order dated 21.07.2026 passed therein, and consequently dismiss I.A.No.7 of 2026.

For Petitioners : Mr.K.Kannan



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ORDER

The Civil Revision Petition is filed challenging the order passed by the trial Court allowing the application filed by the respondents 1 and 2/defendants seeking leave of the Court to produce certain additional documents.

2.The petitioner is the fourth plaintiff and the respondents 1 and 2 are the defendants. The plaintiffs filed a suit seeking a declaration that the Power of Attorney Deed dated 08.07.1993, executed by them in favour of their father, is null and void. They also sought the relief of partition in respect of the suit properties.

3.The suit was resisted by the defendants contending that the suit properties originally belonged to the great-grandfather of the defendants, namely, Poosari Periyaveeranan, son of Poosari Periyaveerakudumban. It was also contended by the defendants that they have been in possession and enjoyment of the suit properties.

4.The trial in the suit has already commenced and the suit is now posted for recording the evidence on the side of the defendants. At this stage, the respondents 1 and 2/defendants filed the instant



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application seeking reception of certain revenue documents and certified copies of registered documents. The said application was allowed by the trial Court by imposing a cost of Rs.500/-. Aggrieved by the same, the petitioner/4th plaintiff has come before this Court.

5.The learned counsel appearing for the petitioner would submit that the reasons assigned by the respondents 1 and 2/defendants in the affidavit seeking reception of the additional documents are not sufficient and that the respondents failed to file the said documents along with the written statement, which was filed as early as in the year 2019.

6.A perusal of the affidavit filed by the respondents would indicate that the documents sought to be produced were mixed up with other documents and, therefore, it could not be filed along with the written statement.

7.Taking into consideration the fact that the documents now sought to be produced by the respondents are only revenue documents and certified copies of registered documents, the trial Court was pleased to allow the application by imposing a cost of Rs. 500/-. In the impugned order, the trial Court has also observed that



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similar applications had been filed by the plaintiffs and, therefore, equal opportunity ought to be given to the respondents/defendants in the interest of justice.

8.Having regard to the reasons assigned by the respondents 1 and 2, and the facts and circumstances of the case, this Court is of the view that the trial Court has rightly exercised its discretion in allowing the respondents 1 and 2/defendants to produce the additional documents. I do not find any error or infirmity in the impugned order.

9.Accordingly, this Civil Revision Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

07.08.2026

Index :Yes / No

Internet :Yes / No

NCC :Yes / No

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To

1.The VI Additional District Judge, Madurai.

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



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S.SOUNTHAR, J.

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