

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2015

C O R A M

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

CRP.PD.No.1260 of 2006
and M.P.No.1 of 2006

A.Muruganantham

... Petitioner / Plaintiff

Vs.

1. Mrs.Ranjeetham
2. Mrs.Kothai Nayagi
3. Shivakumar
4. Kumar
5. Vasanthi
6. Saraswathi
7. Devianai
8. Parvathi

... Respondents / Defendants

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India against the order and decretal order dated 01.08.2006 passed in I.A.No.6819 of 2006 in O.S.No.1939 of 2005 on the file of Hon'ble XVIII Asst. City Civil Judge, Chennai.

For Petitioner : Mr.M.Chidambaram
For Respondent : R1 Notice not ready
R2 to R8 given up

O R D E R

This revision arises out of the order passed in I.A.No.6819 of 2006 in O.S.No.1939 of 2005 on the file of Hon'ble XVIII Asst. City Civil Judge, Chennai.

2. The Plaintiff in O.S.No.1939 of 2005 on the file of XVIII Assistant City Civil Judge, Chennai is the petitioner in this revision.

3. During the trial, the defendant has marked Ex.B1, patta issued by the Special Tahsildar, Saidapet in favour of the first defendant. The petitioner contended that Ex.B1 is a forged one. The petitioner has filed I.A.No.6819 of 2006 to issue supeona to Saidapet Tahsildar, Chennai to confirm genuineness of Ex.B1, patta. The application was resisted by the first defendant stating that Ex.B1 is a genuine document.

4. The Trial Court rejected the petition stating that the property is situated in Perambur, Purasawalkam Taluk and hence the Special Tahsildar, Saidapet Taluk cannot say anything about the nature of the document.

5. Mr.M.Chidambaram, learned Counsel for the petitioner submitted that the suit property is situated within the jurisdiction of Perambur - Purasawalkam Taluk office, but the document in Ex.B-1 was issued by the Special Tahsildar, Saidapet. Hence, the reasoning of the trial court cannot be accepted.

6. I see considerable force in the contention of the learned counsel for the petitioner. Hence, the order under challenge is liable to be set aside and it is accordingly set aside.

7. In the result, this Civil Revision Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed. The trial court shall dispose of suit as expeditiously as possible, preferably on or before 31.08.2015.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

The XVIII Assistant Judge,
City Civil Court,
Chennai.

+1 CC to Mr.M.Chidambaram, Advocate Sr.12316

CO-TS

ths : 20.03.2015

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