

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Civil Revision Petition (PD) No.1600 of 2016

&

C.M.P.No.8704 of 2016

S.Umapathi

... Petitioner

vs

1.Ezhilarasi

2.M.Varadhan

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India praying against the dismissal of 2nd relief of the judgment and decree in I.A.No.2387/2016 in O.S.No.4922 of 2010 dated 22.02.2016 on the file of XI Assistant City Civil Court at Chennai.

For Petitioner : Mr.P.A.Chithramani

For Respondents : No Appearance

ORDER

This revision challenges the order of learned XI Assistant City Civil Judge, Chennai passed in I.A.No.2387/2016 in O.S.No.4922 of 2010 on 22.02.2016.

2. There is a dispute over property. Both parties find support for their claim under extract of Town Survey Register. Both deny the genuiness of the extract produced by the other. The petitioner/plaintiff moved I.A.No.2387/2010 in O.S.No.4922/2010 seeking two reliefs:

“(1) The Assistant Director/P.A. To Collector, Land Survey Department, Chennai-600 001 to bring in respect of Ex.A4 document viz i) Town Survey Field Register book along with Town Survey field map in respect of Block No.32, Saligramam Village,

(ii) the petitioner/plaintiff sought requisition letter U/RTI Act dated 01.03.2010

(iii) reply letter from vide O.Mu.R D1/934/2010 dated 3.3.2010 from the Assistant Director/P.A. To Collector, Land Survey Department, Chennai and

2) to the Tahsildar, Land and Estate Corporation of Chennai, Ripon Building, Chennai-600 003 to bring the

i) Town Survey Field Register Book along with field map in respect of Block No.32, Saligramam Village

ii) the requisition of the plaintiff's letter dated 06.01.2015

iii) and reply letter vide Ni.Ma.U.Thu.Na.Ka.En.El.E3/0079/2015 dated 3.3.2015 from the Tahsildar, Land & Estate of Corporation of Chennai, Ripon Building, Chennai issued to the plaintiff and the same has to compare about the veracity of document in Ex.P.4 dated 25.01.2010, which is marked in I.A.No.9788 of 2010 and both of them to speak about the veracity of the documents in respect of suit property. “

3. The Court below partly has allowed I.A.No.2387/2016 in O.S.No.4922

of 2010 and directed the P.A. to Collector Land Survey Department to produce the document in respect of Ex.A4 document viz i) Town Survey Field Register book along with Town Survey field map in respect of Block No.32, Saligramam Village, ii) the petitioner/plaintiff sought requisition letter U/RTI Act dated 01.03.2010 iii) reply letter from vide O.Mu.R.D1/934/2010 dated 3.3.2010 from the Assistant Director/P.A to Collector, Land Survey Department, Chennai.

4. This revision is filed against the rejection of prayer 2, calling for production of document by another authority.

5. As the dispute is regarding a particular property and the question of which of the parties has produced a genuine extract of Town Survey Register would be decided through the record which is directed to be produced by the P.A. to Collector Land Survey Department, under the order under challenge, this revision shall stand dismissed. No costs. Connected miscellaneous petition is closed.

07.06.2016

Index:yes/no

Internet:yes

To

The XI Assistant City Civil Judge, Chennai

C.T.SELVAM, J

kpr

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