

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.09.2016

CORAM:

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN

C.R.P (PD) No.1744 of 2016

&

C.M.P.No.9259 of 2016

1. G.Pankajavalli
2. G.Sivakumar
3. G.Chandrakumar
4. G.Vijayakumar
5. G.Malarvizhi
- 6.G.Kalyankumar

...Petitioners

vs.

M.Yamuna

.. Respondent

Civil Revision Petition is filed under Article 227 of the Constitution of India against the order dated 08.07.2015 passed by the Principal Sub-Judge, Chengalpet in I.A.No.41 of 2012 in C.M.A.No.1 of 2014.

For Petitioner : Mrs.M.Hemasampath
Senior Counsel
for M/s.S.Raveekumar

For Respondent : Mr.J.Selvarajan

ORDER

This Civil Revision Petition is directed against the order dated

08.07.2015 in I.A.No.41 of 2015 whereby and whereunder the learned Principal Subordinate Judge, Chengalpattu dismissed the application filed by the petitioner for scientific investigation of the documents through a forensic expert.

2. Heard the learned senior counsel for the petitioners and the learned counsel for the respondent.

3. The learned senior counsel for the petitioners submitted that the petitioners would be satisfied in case liberty is granted to file the application for scientific examination before the trial Court after the examination of the Revenue Officials with reference to original Adangal Extracts for Faslis 1388, 1392, 1393, 1398 and 1399.

4. The learned counsel for the respondent fairly submitted that he has no objection for raising this issue before the trial Court after the production of the documents and examination of the concerned Revenue Authority with reference to the revenue records.

5. The application filed by the petitioners before the first appellate Court was dismissed on the ground that the revenue documents are deemed to be correct unless the contrary is proved. The petitioners now

wanted to prove by leading evidence before the trial Court. In order to give a quietus to the matter, I am of the view that liberty should be granted to the petitioners to approach the trial Court for the relief claimed in the present application I.A.No.41 of 2015 after examining the revenue officials with reference to original Adangal Extracts for Faslis 1388, 1392, 1393, 1398 and 1399. In case any such application is filed after the conclusion of trial, the same shall be considered and disposed of by the learned trial Judge on merits and as per law without reference to the order impugned in this Civil Revision Petition.

This Civil Revision Petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

12.09.2016

gpa

To

The Principal Sub-Judge
Chengalpet

K.K.SASIDHARAN,J.

gpa

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