

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.04.2017

CORAM:
THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P (PD) No.3976 of 2016 &
C.M.P.No.20154 of 2016

1.Durairaj
2.Pappa

... Petitioners

Vs.

1.Rajendran
2.Sekar

... Respondents

Prayer: Revision filed under Section 227 of the Constitution of India against the fair and decreetal order passed in I.A.No.818 of 2016 in O.S.No.115 of 2004 dated 25.11.2016 on the file of the District Munsif Court at Perambalur.

For Petitioners : Mr.V.Raghavachari
For Respondents : Mr.T.M.Hariharan

ORDER

The petitioners are the defendants in O.S.No.71 of 2000 re-numbered as O.S.No.115 of 2004. The respondents have filed the suit seeking for declaration and permanent injunction against the petitioners herein.

2.In the said suit, the respondents have filed the interlocutory application in I.A.No.818 of 2016 under Order 16 Rule (1)(2) of the Code of Civil Procedure praying for issuance of summons to the Village Administrative Officer, Perambalur, through the Tahsildar, Perambalur for production of a copy of A-Register, Patta Pass Book, Adangal before the trial Court.

3.The petitioners have filed a counter affidavit and denied all the averments in the interlocutory application.

4.The trial Judge, after considering the submissions on either and materials available on record, allowed the application permitting to issue summons to the Village Administrative Officer for giving witness along with the relevant documents in respect of the suit property. Aggrieved over the same, the petitioners have come out with the present revision petition.

5.Heard the learned counsel for the petitioners and the learned counsel for the respondents.

6.The Learned Counsel for the Petitioners has made an endorsement to the effect that "Chitta, Adangal maintained by the Tahsildar/VAO and Village Accounts can be brought by the VAO to give evidence to refresh his memory" and the learned counsel for the respondents has also made an endorsement to the effect that "As the respondent has restricted his prayer to 1) Chitta & 2) Adangal maintained by the VAO and that too, only to refresh the memory, the same may be recorded and CRP disposed of".

7.Recording the endorsement made by the learned counsel on either side, the Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

To

The District Munsif,
Perambalur.

+1 cc to Mr.V.Raghavachari,advocate,sr.21883

+1 cc to Mr.T.M.Hariharan,advocate,sr.21860.

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