



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.V. MURALIDARAN

C.R.P. (MD) No.789 of 2018 and
CMP (MD).No.3503 of 2018

1.Shri Kovil Vedaviyasar R. Lakshmi Narasimma
2.Shri Kovil Vedaviyasar L. Senthamraikannan .. Petitioners

Vs.

The Idol of Arulmigu Renganathar Samy
Devasthanam rep. by its
Executive Officer / Joint Commissioner
Srirangam, Tiruchirappalli-6 .. Respondent

PRAYER: This petition is filed under Article 227 of the Constitution of India against the fair and decreetal order dated 15.12.2017 made in I.A.No. 923 of 2015 in I.A.No.77 of 2013 in O.S.No. 1059 of 2012 on the file of the learned Principal District Munsif at Thiruchirappalli.

For Petitioner : Mr.C.Jeganatan for
M/s.Veera Associates

ORDER

This Civil Revision Petition has been filed against the fair and decreetal order, dated 15.12.2017, made in I.A.No. 923 of 2015 in I.A.No.77 of 2013 in O.S.No. 1059 of 2012, on the file of the learned Principal District Munsif at Thiruchirappalli.

2. The revision petitioners, who are the plaintiffs, have filed an Interlocutory Application in I.A.No. 923 of 2015 in I.A.No.77 of 2013 in O.S.No. 1059 of 2012, on the file of the learned Principal District Munsif at Thiruchirappalli, to produce the petition mentioned documents into Court, so as to decide the case and the same has been dismissed on the ground that one party cannot be compelled to depose the evidence or produce the documents in favour of other party. Against the said order, the petitioners have filed the present Civil Revision petition.

3. Heard the learned counsel appearing for the
<https://hcservices.ecourts.gov.in/hcservices/>
petitioners.



4. Since the petitioners have filed an Interlocutory Application to direct the respondent / third defendant, to produce the petition mentioned documents into Court, so as to decide the case, admittedly they have contested that it is the duty to the respondent / third defendant to produce all the documents as sought for, if the document is not available with the plaintiffs. It is the duty of the revision petitioners / plaintiffs to approach the third defendant in person or by way of representation seeking copy of the documents and thereafter, if the respondent / third defendant failed to produce any document, if it is available with them, then the petitioners / plaintiffs will approach this Court. Without approaching the respondent / third defendant, directly seeking him to produce the documents, which are mentioned in the petition, the learned Judge has passed the well-considered order and it has not required any interference by this Court and hence, this Civil Revision Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

5. The petitioners are given liberty to make a representation to the respondent / third defendant within a week from the date of receipt of a copy of this order. On receipt of representation seeking the petition mentioned property, the respondent / third defendant is directed to consider the same within a period of three weeks, thereafter.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

The Principal District Munsif at Thiruchirappalli.

+ 1 CC TO M/s.VEERA ASSOCIATES, IN SR No. 61107

TRP

TE/KKR/SAR-1 : 07/05/2018 : 2P/3C

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