



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
C.R.P. (PD) (MD) .Nos.1948, 1949 and 1950 of 2016

and
C.M.P. (MD) No.9201 of 2016

Velammal

... Petitioner in all CRPs

Vs.

1.Chellaiah

2.Perumal

... Respondents in all CRPs

PRAYER in C.R.P. (PD) (MD) No.1948 of 2016 : Petition filed under Section 227 of Constitution of India, to set aside the fair and decreetal order dated 07.06.2016 passed in I.A.No.126 of 2016 in O.S.No.376 of 2013 on the file of the learned I Additional District Munsif Court, Tirunelveli, by allowing this Revision Petition.

PRAYER in C.R.P. (PD) (MD) No.1949 of 2016 : Petition filed under Section 227 of Constitution of India, to set aside the fair and decreetal order dated 07.06.2016 passed in I.A.No.127 of 2016 in O.S.No.376 of 2013 on the file of the learned I Additional District Munsif Court, Tirunelveli, by allowing this Revision Petition.

PRAYER in C.R.P. (PD) (MD) No.1950 of 2016 : Petition filed under Section 227 of Constitution of India, to set aside the fair and decreetal order dated 07.06.2016 passed in I.A.No.128 of 2016 in O.S.No.376 of 2013 on the file of the learned I Additional District Munsif Court, Tirunelveli, by allowing this Revision Petition.

For petitioner : Mr.V.Balaji

For respondent- 2 : Mr.R.Ramasamy

(in all CRPs)

ORDER

The plaintiff in O.S.No.376 of 2013 on the file of the I Additional District Munsif Court, Tirunelveli is the revision petitioner herein. It is a suit for declaration and permanent injunction. In the said suit, the revision petitioner wanted to send for extract of the Town Survey Register. The Court below rejected the said application on the ground that the petitioner can as well apply for a certified copy and mark the same. The petitioner accordingly did so. When a certified copy is applied



for and is issued, it will bear the signature of the issuing authority and the date will be the one on which the signature was made.

2.The Court below had mistaken it and had observed that the document in question came into existence after the institution of the suit. Actually, the document is an anterior document and only a certified copy was issued after institution of the said suit. Since, the Court below proceeded on a factual misconception, it declined to receive the document on that score.

3.In this view of the matter, the order impugned in these Civil Revision Petitions are set aside and these Civil Revision Petitions are allowed. No cost. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(Rti)

/True Copy/

Sub Assistant Registrar(CS-III)

To:

The I Additional District Munsif Court,
Tirunelveli.

Copy to
The Record Keeper,
VR Section,
Madurai Bench of Madras High Court,
Madurai. 2 COPIES

- 2 CC TO Mr.R.Ramasamy, ADVOCATE IN SR No.82666,83193.
+ 1 CC TO Mr.V.kBalaji , ADVOCATE IN SR No. 82945.

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ORDER MADE IN
C.R.P. (PD) (MD) .Nos.1948,
1949 and 1950 of 2016

and

C.M.P. (MD) No.9201 of 2016