



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 28.06.2018

CORAM:

**THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN**

C.R.P. (PD) (MD) Nos.2091 and 2092 of 2016

1. Maria Thangam
2. Morris Kingly

... Petitioners in both C.R.Ps./  
Petitioners/Defendants 2 & 3

Vs.

1. Gnanalal
2. Jayasing
3. Joys
4. Johnson
5. Balakrishnan
6. The State represented by  
the District Collector,  
Kanyakumari District  
at Nagercoil.
7. The Tahsildar,  
Vilavancode Taluk,  
Kuzhithurai,  
Kanyakumari District.
8. The Village Administrative Officer,  
Nattalam Village,  
Vilavancode Taluk,  
Kanyakumari District.
9. Sarasammal
10. John Bright
11. John Bhurjin
12. Krupamarri

... Respondents in both C.R.Ps./  
Respondents & 3<sup>rd</sup> Petitioner /  
Plaintiffs 1 to 3 & Defendants  
1, 4 to 8, 10, 11 & 9

**PRAYER:** These Civil Revision Petitions are filed under Article 227 of the Constitution of India against the order and decreetal order passed in I.A.Nos.18 and 19 of 2016 respectively in O.S.No.215 of 2008, dated 22.02.2016 on the file of the Principal District Musnif, Kuzhithurai.

For Petitioners : Mr.K.Sreekumaran Nair  
For R1 to R3 : Mr.C.Godwin  
For R6 to R8 : Mrs.VPM.Vaishnavi,  
Government Advocate

**COMMON ORDER**

These Civil Revision Petitions have been filed against the order passed in I.A.Nos.18 and 19 of 2016 in O.S.No.215 of 2008, dated 22.02.2016 on the file of the Principal District Musnif, Kuzhithurai.

2. The respondents 1 to 3 are the plaintiffs and they filed a suit in O.S.No.215 of 2008 before the District Munsif Court, Kulithurai for declaration of title and injunction. The petitioners/defendants resisted the suit contending that they purchased the suit property from descendants of one Padmanabhan Nadar. The suit was listed for trial on 01.07.2014 and the documents - Exs.B1 to B9 were marked and the case was adjourned to 08.01.2016 for arguments. While so, the defendants 1 to 3 filed I.A.Nos.18 and 19 of 2016 before the District Munsif Court, Kulithurai to re-open the case and also for a direction to produce original SLR of the suit property alleging that there is discrepancy between Ex.A13 and Ex.B5 SLR copies produced. But the trial Court has dismissed the applications. Against which, the present Civil Revision Petitions have been filed before this Court.

3. Heard the learned counsel for the petitioners, the learned counsel for the respondents 1 to 3 and the learned Government Advocate appearing for the respondents 6 to 8 and perused the materials placed before this Court.

4. Considering the above, these Civil Revision Petitions are allowed and the order passed in I.A.Nos.18 and 19 of 2016, dated 22.02.2016 is set aside and the 7<sup>th</sup> respondent is directed to produce the document sought for in I.A.Nos.18 and 19 of 2016 before the District Munsif Court, Kulithurai, within a period of two weeks from the date of receipt of a copy of this order and on production of the document and on completion of evidence, the learned District Munsif, Kulithurai is directed to dispose of the suit in O.S.No.215 of 2018 within a period of two weeks thereafter on day-to-day basis without giving any adjournment to either parties. No costs.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

1.The Principal District Musnif,  
Kuzhithurai.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The State represented by  
the District Collector,  
Kanyakumari District  
at Nagercoil.

3.The Tahsildar,  
Vilavancode Taluk,  
Kuzhithurai,  
Kanyakumari District.

4.The Village Administrative Officer,  
Nattalam Village,  
Vilavancode Taluk,  
Kanyakumari District.

Copy to :

The Section Officer,  
Vernacular Section,  
Madurai Bench of Madras High Court,  
Madurai. (2 Copies)

+1cc to Mr.K.Sreekumaran Nair, Advocate, SR.No.70194.

+1cc to Mr.C.Godwin, Advocate, SR.No.70272

+1cc to Special Government Pleader, SR.No.70502.

C.R.P.(PD) (MD) Nos.2091 and 2092 of 2016  
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RAM/SV/SAR 2/02.07.2018/3P/10C