



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 24.08.2018
CORAM :
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CRP (MD)No.2442 of 2016 (PD)
and
CMP(MD)No.11489 of 2016

Subburaj Gounder (died)
1.Maniammal

2.Nagajothi

3.Andal

4.Natesan

5.Jawaharlal Nehru

6.Jeyakandan ...Revision Petitioners/Petitioners/Plaintiffs

Vs.

1.Murugan @ Chinna Kamatchi

2.Murugesan

Manikandan (died)

3.Malaisamy

4.The Sub Registrar,
Sub Registrar Office, Theni.

5.The District Collector,
Collectorate Office, Theni.

... Respondents/Respondents/Defendants

Prayer : This Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order and decretal order dated 11.08.2016 made in I.A No.151 of 2016 in O.S No.93 of 2011 on the file of the District Munsif Court, Periyakulam.

For Petitioners
For Respondents

: Mr.S.Sivathilakar
: Mr.M.Murugan,
Govt.Advocate (Regn.) for R4
Mr.M.Karuppasamy,
Govt.Advocate for R5
R1 to R3 - No appearance.

**ORDER**

The revision petitioners are the plaintiffs in O.S No.93 of 2011 on the file of the District Munsif Court, Periyakulam. The said suit was instituted for the relief of declaration, permanent injunction and mandatory injunction. In the said suit, the revision petitioners wanted to examine the local Village Administrative Officer as their witness. Therefore, they filed IA No.151 of 2016. The court below dismissed the same by order dated 11.08.2016. The correctness of the said order is under challenge in this Civil Revision Petition.

2.Heard the learned counsel on either side.

3.The learned counsel appearing for the revision petitioners reiterated the grounds set out in the memorandum. This Court is of the view that the case of the petitioners herein will have to be established by adducing appropriate evidence in support thereof. Examination of the Village Administrative Officer is not going to add any strength to the case. If the petitioners wanted to place reliance on any document, the certified copy of the same can be obtained and marked. The court below is justified in holding that examination of the village administrative officer is absolutely unnecessary. This Court finds no merit in this civil revision petition. It stands dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS-III)

To

The District Munsif, Periyakulam.

+1CC to Mr.S.Sivathilakar, Advocate, SR.No. 80493

+1CC to the Special Government Pleader SR.No. 80253

CRP (MD)No.2442 of 2016 (PD)

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24.08.2018

SKM

ES/SKN/RSK/SAR 3/27.09.2018/2P/4C

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