

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2019

CORAM:

THE HONOURABLE Mr. JUSTICE R.SURESH KUMAR

C.R.P.(PD) No.3724 of 2019 and
C.M.P.No.24466 of 2019

1.Perumal
2.Kunjupaiyan @ Chinnamuthu
3.Govindaraj
4.Chinnusamy

... Petitioners

Vs.

1.Raja
2.Jeevananthini

... Respondents

Prayer: Petition filed under Article 227 of the Constitution of India, praying to set aside the fair and decretal order in I.A.No.1 of 2019 in O.S.No.65 of 2011 on the file of District Munsif Court, Mettur dated 21.10.2019.

For Petitioners : Mr.G.Surya Narayanan

ORDER

This revision petition has been filed against the fair and decretal order passed in I.A.No.1 of 2019 in O.S.No.65 of 2011 on the file of the District Munsif Court, Mettur, by order dated 21.10.2019.

2.Before the trial Court, the revision petitioners were defendants. They filed the present application under Order XVI Rule 1 of the Civil Procedure Code to summon the Tahsildar, Mettur and the Inspector of Police, Jalakandapuram for examining them to put forward or to prove the case of the revision petitioners/ defendants before the Court below. The said application, having been heard, was rejected, as against which, the present revision has been filed.

3.I have heard Mr.G.Surya Narayanan, learned counsel appearing for the revision petitioners, who would submit that, the intention of the revision petitioners are not to summon that two officers for deposition, instead of, if the two complaints given before the Inspector of Police concerned and based on which, a report prepared and sent by the Tahsildar concerned, are marked as documents on the side of the revision petitioners/defendants, the revision petitioners would be satisfied.

4.In that view of the matter, this Court feels that, the order passed by the Court below need not be interfered with, however, whatever the public document, the revision petitioners wants to rely

upon, it is open to them to get the certified copy and produce the same before the trial Court and the same can be marked in the manner known to law.

5.In this context, it seems that, in the year 2010 application under RTI Act seems to have been filed by the revision petitioners to get those documents, but those attempts have not yielded any result, that is the reason, the present application seems to have been taken by the revision petitioners/defendants.

6.In view of the above, this Court is inclined to dispose of this civil revision petition at the admission stage with the following observation:

That the revision petitioners/defendants can approach the Tahsildar concerned as well as the Inspector of Police concerned to get certified copy of the document viz., the two alleged complaints given by the plaintiffs against the defendants and also a report in this regard claimed to have been prepared by the Tahsildar concerned. If those documents are available on the file of the

concerned officers, on receipt of necessary application to that effect from the revision petitioners, certified copy shall be given to them, based on which, those documents can be filed by the revision petitioners before the Court below in the manner known to law.

7. With this observation and direction, this Civil Revision Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

18.11.2019

Index : Yes/No
Speaking Order : Yes/No

Note : Issue order copy on 19.11.2019

Sgl

सत्यमेव जयते

WEB COPY

To

The District Munsif Court,
Mettur.

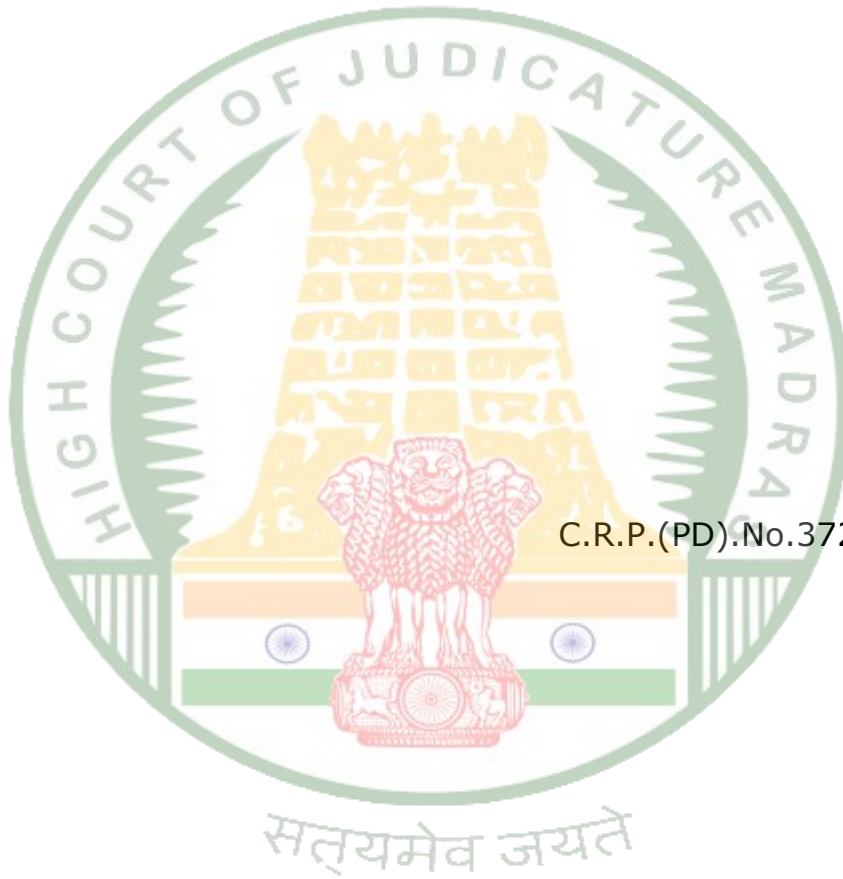


WEB COPY

C.R.P.(PD).No.3724 of 2019

R.SURESH KUMAR, J.

Sgl



C.R.P.(PD).No.3724 of 2019

WEB COPY 18.11.2019