

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2020

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

C.R.P.PD 701 of 2020
and
C.M.P. 3665 of 2020

1. Thangavel
2, Ravichandiran .. Petitioners

Versus

P.Subramaniam .. Respondent

PRAYER : Civil Revision Petition is filed under Art. 227 of Constitution of India, praying to set aside the fair and final order dated 03.12.2019 in I.A. 1 of 2019 in O.S. 121 of 2016 on the file of Sub-Court, Perundurai.

For Petitioner : Mr.J.Prithivi

ORDER

This Civil Revision Petition has been filed against the order dismissing the petitioner's application filed under Order 11 Rule 14 of C.P.C. to direct the defendant to produce the certified

copies of sale deeds dated 25.08.2000, 07.06.2001 and 10.02.2003.

2. The petitioners are plaintiffs. They have filed a suit for partition and separate partition. In the above suit, the petitioners have marked three sale deeds dated 25.08.2000, 07.06.2001 and 10.02.2003 as Ex.A1 to A3. Thereafter, the petitioners have filed the present application to call upon the defendant to mark the original copies of sale deeds i.e. Exs.A1 to A3 on the ground that, the original sale deeds are with the defendant, and the defendant is disputing regarding schedule and extent of the property. That application came to be dismissed. Challenging the same, the present Civil Revision Petition has been filed.

3. I have heard and considered the submissions made by learned counsel appearing for petitioners and perused the records carefully.

4. Already the petitioners have marked certified copies of sale deeds dated 25.08.2000, 07.06.2001 and 10.02.2003 as Ex.A1 to A3. Now, the present application has been filed to call upon the defendant to mark the original sale deeds. Already certified copies of documents have been marked, and the same

are admitted in evidence, and it is not necessary to call upon the defendant to mark original sale deeds. If at all, the defendant has raised any dispute regarding Ex.A1 to A3, it is for the defendant to prove the same by filing original sale deeds. At this stage, the plaintiffs cannot maintain the above application to call upon the defendant to produce sale deeds. I have gone through the records, I find no illegality or irregularity in the order passed by the court below, and I find no merit in this Civil Revision Petition. Accordingly, this Civil Revision Petition stands dismissed. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

19.02.2020

Index : Yes/No
Internet: Yes/No
Speaking/Non Speaking order
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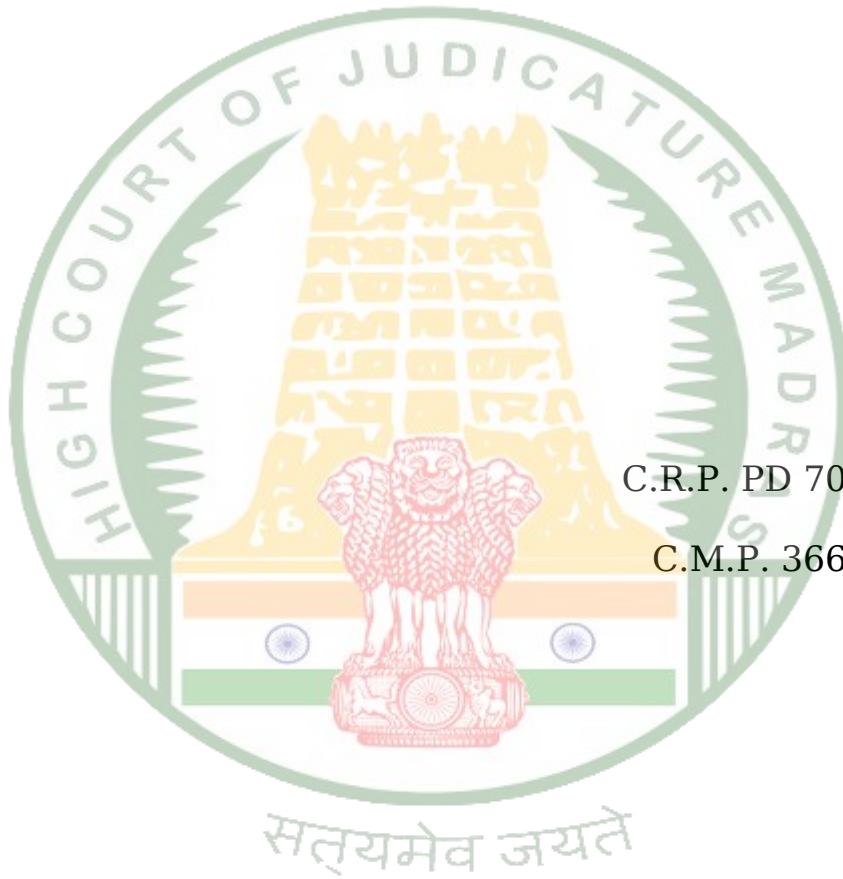
To

Sub-Court,
Perundurai.

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V.BHARATHIDASAN,J.

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