

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2020

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

CRP(PD)NO.1126 OF 2020

AND

CMP NO.6117 OF 2020

1. Venkatesan
2. Rajeswari Petitioners/Plaintiffs

...vs...

1. Madhammal
2. Manikandan
3. Ammakannu
4. Kandan @ Kndasamy
5. Selvaraj
6. Rathinavel
7. Manickavel Respondents/Defendants

Prayer :

This Civil Revision Petition has been filed under Section 227 of the Constitution of India to set aside the fair and decreetal order passed in I.A.No.1 of 2019 in O.S.No.279 of 2014 by the District Munsif, Mettur dated 12.11.2019.

For Petitioner : Mr.S.S.Raghavan

ORDER

This revision petition has been filed to set aside the fair and decreetal order passed in I.A.No.1 of 2019 in O.S.No.279 of 2014 by the District Munsif, Mettur dated 12.11.2019.

2. The petitioners herein are the plaintiffs in the above said suit and they have filed the suit for permanent injunction. Pending suit, the petitioners filed a petition to summon the Executive Officer, Nangavalli Panchayat and Tahsildar, Mettur Division to give evidence by producing the relevant records with regard to the house tax receipt and Adangal respectively. The Trial court partly allowed the

petition to examine the Executive Officer, Nangavalli Panchayar, however, dismissed the petition to examine the Tahsildar, Mettur. Challenging the orders passed by the trial court in so far as the dismissal,, this revision petition has been filed.

3. Heard the learned counsel for the petitioner. I have perused the materials on record.

4. In the orders passed by the Trial Court, it has held that while the PW1 was cross examined by the defendants, a question has been put to PW1 with regard to the filing of house tax receipts and inview of the same, the evidence of the Executive officer, who gave the house tax receipts is necessary. However, with regard to the documents namely Adangal extract, the Trial Court has held that the petitioner can very well obtained the certified copies of the Adangal extract by filing a petition and hence, examination of the Tahsildar is not necessary. The Trial court, has rightly come to the conclusion that the petitioner can obtain Adangal Extract by filing appropriate petition and hence, this court do not find any illegality or infirmity to interfere in the orders passed by the Trial court.

5. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed. The orders passed by the Trial court is upheld.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mst

To

The District Munsif,
Mettur.

+1cc to Mr.R.Subramanian, Advocate, S.R.No.22912

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RJI (CO)
CS/21/07/2020