



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

C.R.P.NO.4314 OF 2019

AND

C.M.P.NO.28061 OF 2019

Sonu Cheriyan Zacheria

.. Petitioner/Plaintiff

Vs.

1. Munuswamy

2. K.S.R.Sharma

3. P.Sathakeerthy

4. P.Kavitha

.. Respondents/Defendants

Prayer:

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and decretal order dated 25.10.2019, passed in I.A.No.1 of 2019 in O.S.No.274 of 2011 on the file of the learned District Munsif, Ponneri.

For Petitioner : Mr.R.Krishnaswamy

O R D E R

Revision has been filed against the order dismissing the petitioner's application to summons Tahsildar, Ponneri to produce documents relating to the proceedings initiated under the Tamil Nadu Land Reforms Act.

2. Petitioner/plaintiff filed the suit for declaration to declare the settlement deed dated 26.09.2008, executed by the second defendant in favour of the 3rd defendant is not valid and binding on the petitioner/plaintiff and for consequential permanent injunction. Petitioner/plaintiff filed an application under Order XVI Rule 1(2) & (3) of C.P.C. seeking summons to the Tahsildar, Ponneri to produce the proceedings initiated under the Tamil Nadu Land Reforms Act in respect of the suit scheduled property. The said application has been dismissed by the trial Court and challenging the same the petitioner has filed the present revision.



3. I have heard the learned counsel appearing for the petitioner and also perused the records carefully.

4. Originally land ceiling proceedings have been initiated and surplus lands were acquired by the Government of Tamil Nadu under the Land Reforms Act, and thereafter assigned to one Pothan and from whom, petitioner's father purchased the suit property. The second defendant claiming title over the property entered into a settlement deed with the third defendant. In such circumstances, the petitioner wants the certified copies of the relevant registers regarding the proceedings initiated under the Tamil Nadu Land Reforms Act and for that purpose wants to summon the Tahsildar, Ponnneri to produce the said documents. The trial Court dismissed the said application stating that the documents sought for are the certified copies of the Patta, Chitta and Adangal which can be obtained from the appropriate authority and further the exact documents sought for has not been specifically stated in the application. I do not find any illegality or irregularity in the order passed by the trial Court. There is no merit in the revision and the same is liable to be dismissed.

5. In the result, the civil revision petition is dismissed and the fair and decreetal order of the Court below, impugned in this revision is hereby confirmed. It is open for the petitioner to make necessary application before the appropriate authority seeking certified copies of the proceedings. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO-MDU)

//True Copy//

Sub Assistant Registrar

kk

To

The District Munsif,
Ponneri.

+1cc to Mr.V.Ajoy Khose, Advocate, S.R.No.2016

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CA(CO)
CS/14/07/2020