



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

C.R.P(MD)Nos.157 and 158 of 2020

and

C.M.P. (MD)No.855 of 2020

WEB COPY

Sonaimuthu

...Petitioner in both C.R.Ps. /
Petitioner / Plaintiff

-Vs-

- 1.Veluchamy
- 2.Karuppayee
- 3.Ganesan
- 4.Sonayan
- 5.Rajendri
- 6.Raja

...Respondents in both C.R.Ps. /
Respondents / Defendants

PRAYER: Civil Revision Petitions are filed under Article 227 of Constitution of India, praying to call for the records relating to the fair and decreetal order dated 11.11.2019 made in I.A.Nos.12 and 13 of 2019 in O.S.No.140 of 2014 on the file of the learned District Munsif, Devakottai and set aside the same.

For Petitioner : Mr.J.Anandkumar
in both Petitions

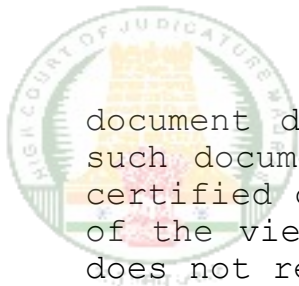
COMMON ORDER

These Civil Revision Petitions have been filed against the fair and decreetal order of the trial Court, dismissing the applications filed for reopen the plaintiff's evidence and also for summoning the original S.L.R., from the Revenue Department.

2.The main ground on which the petitioner has filed these petitions is that since the defendants have denied the genuineness of the certified copy of the original S.L.R., the trial Court has dismissed the applications on the ground that the certified copy is already filed and obtained from the public authorities and held that the party, who denied such document, has to prove its correctness and dismissed the applications.

3.Heard the learned counsel appearing for the petitioner and perused the material available on record carefully.

4.Admittedly, the certified copy of the original S.L.R., was filed as Ex.A.2 and the same was obtained from the proper custody and filed before the Court of law. The defendants have in the cross-examination denied its entry. Such being the position, it is for the defendants to establish that the entries found in the certified copy are not true. The entire burden lies on them to contend that those entries are not true. Such being the position, ~~understanding~~ such exercise by the plaintiff to prove the original



document does not arise at all. If at all the defendants attack such document, it is for them to establish that the entries in the certified copy are not true. Such view of the matter, this Court is of the view that the order of the trial Court is well-balanced and does not require any interference.

5. Accordingly, these Civil Revision Petitions are dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Myr

To

1.The District Munsif, Devakottai.

2.The Section Officer, (2 COPIES)

V.R. Records,

Madurai Bench of Madras High Court,

Madurai.

+1 CC to M/s.J.ANANDKUMAR, Advocate (SR-3648[F] dated 29/01/2020)

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SMA/10/02/2020/2P/5C