



WEB COPY

C.R.P.(PD)(MD)No.1685 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 21.01.2019

DELIVERED ON : 14.10.2020

CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

and

THE HONOURABLE MR. JUSTICE C.SARAVANAN

C.R.P. (MD)No.1685 of 2015

and

M.P. (MD)No.1 of 2015

1.V.Shanthi

2.Geethalakshmi

: Petitioners/Petitioners/Defendants

.. Vs ..

1.Sakthivel

2.Shanmugam

3.Somasundaram

4.Annadurai

5.Vijaya

6.S.Malini

: Respondents/Respondents/Plaintiffs

7.Geetha Vinuprakash

8.Mangayarkarasi

9.Balachitra

10.Saravanan

11.Thilagavathi

12.Maheswari

13.Ambikadevi

14.Kumaravel

: Respondents 7 to 14/

Respondents 7 to 14/Defendants 3 to 10

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the fair and decreetal order, dated 30.12.2014 made in I.A.No.546 of 2014 in O.S.No.16 of 2008 on the file of the I Additional District Court (PCR Court), Thanjavur.

For Petitioner :Mr.V.Singan

For R1 to R6 :Mr.S.Pasupathy

For R7 to R14 :No Appearance

ORDER

(Order of this Court was made by **S.S.SUNDAR, J.**)

This Civil Revision Petition is directed against the order passed by the learned I Additional District Judge (PCR Court), Thanjavur, in I.A.No.546 of 2014 in O.S.No.16 of 2008, dated 30.12.2014.

<https://hcservices.ecourts.gov.in/hcservices/>



2. Heard the learned Counsel appearing for the petitioners and the learned Counsel appearing for the respondents 1 to 6.

3. The suit in O.S.No.16 of 2008 was filed by respondents 1 to 6 herein for partition and separate possession of their half share in the suit 'A' and 'B' schedule properties, as per the registered partition deed, dated 24.04.1971, after dissolution of the Partnership Firm, namely, "M/s.Sri Ambika Silk Stores" and for settlement of accounts of the Firm from 03.10.1999. The plaintiffs have also prayed for consequential relief for appointment of an Advocate Commissioner for division of the property and to pass final decree on the basis of Commissioner's report.

4. During the pendency of the suit, the defendants filed an interlocutory application in I.A.No.546 of 2014 in O.S.No.16 of 2008, for rejection of certain unregistered documents originally filed by the plaintiffs on the ground that the documents produced by the plaintiffs are inadmissible in evidence. The said application was dismissed by the learned I Additional District Judge (PCR Court), Thanjavur, on the ground that the admissibility, relevance, truth and veracity of the documents can be decided at the time of trial. Aggrieved by the same, the above revision petition is filed.

5. Since the documents are marked subject to the objections regarding admissibility and genuineness, this Court is of the view that no prejudice is caused to the revision petitioners. Further, it is admitted that the suit in O.S.No.16 of 2008 was disposed of and the appeal preferred by the defendants is also disposed of by this Court today. Hence, the prayer in the revision petition has become infructuous, in view of the disposal of the suit in O.S.No.16 of 2008. It is open to a person aggrieved by the order in interlocutory application, to agitate the correctness of the order in the interlocutory application in the regular appeal, that may be filed by the revision petitioner as against the judgment and decree of the trial Court. After the disposal of the suit, the petition for rejection of document cannot be maintained. Accordingly, this Civil Revision Petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



1.The I Additional District Judge (PCR Court),
Thanjavur.

2.The Section Officer-2 copies
V.R.Section,
Madurai Bench of Madras High Court, Madurai.

Order made in
C.R.P.(MD)No.1685 of 2015
14.10.2020

KM (18.02.2021) 3P 4C