



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2021

CORAM :

THE HON'BLE MR.JUSTICE G.CHANDRASEKHARAN

C.R.P.NO.2132 OF 2021

AND

C.M.P.NO.16166 OF 2021

1.N.Sakunthala

2.N.Manikandan

... Petitioners/Respondents 5 & 9/
Defendants 5 & 9

Vs

1.Bhuvaneswari

... 1st Respondent/Petitioner/
Plaintiff

2.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department, Villupuram.

3.The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department, Villupuram.

4.The Commissioner,
Hindu Religious and Charitable
Endowment Department, Villupuram.

5.The District Collector,
Villupuram District,
Villupuram.

6.N.Thulasidoss

7.N.Kannan

8.N.Hema

... Respondents 2 to 8/
Respondents 1 to 4, 6, 7 & 8/
Defendants 1 to 4, 6, 7 & 8

PRAYER : Civil Revision Petition filed under Article 227 of the Consitution of India praying to set aside the fair order and decreetal order dated 10.03.2020 passed in I.A.No.128 of 2017 in O.S.No.219 of 2014 on the file of the Learned Principal Sub Judge at Tindivanam by allowing this Civil Revision Petition.

For Petitioners : Mr.S.Madhar Khan.



O R D E R

This Petition is filed challenging the order passed in I.A.No.128 of 2017 in O.S.No.219 of 2014 by the learned Principal Sub Judge, Tindivanam, on 10.03.2020.

2.I.A.No.128 of 2017 was filed under Order 11 Rule 14 of Civil Procedure Code, for summoning the documents mentioned in the petition by the petitioners. This petition was contested by the petitioners. The learned Principal Sub Judge, Tindivanam, on considering the rival submissions, allowed the petition.

3. When the matter was taken up, the learned counsel for the petitioners submitted that the documents sought to be produced by the petitioners had already been filed by them in the suit filed by them in O.S.No.102 of 2016 pending on the file of the learned Principal Sub Judge, Tindivanam.

4.The learned Principal Sub Judge, Tindivanam, also found that there is no denial by the petitioners that the documents are not available with them. It is seen from the rival submissions that these documents are necessary for the disposal of this case. In view of the submissions made that the documents had already been filed in O.S.No.102 of 2016 pending on the file of the learned Principal Sub Judge, Tindivanam, the order of the learned Principal Sub Judge, Tindivanam, is modified to the extent that instead of directing the petitioners to produce the documents, the first respondent can obtain the certified copies of the documents from the concerned court and produce before this court or can send for the documents by following the procedure known to law.

5.Accordingly, this Civil Revision Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ay/ep

To

The Principal Subordinate Judge, Tindivanam.

C.R.P.No.2132 of 2021
and C.M.P.No.16166 of 2021

BS(CO)
CS/27/10/2021