

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2021

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.(PD)No.3103 of 2018
and C.M.P.No.17913 of 2018

Sivagami Rajagopalan Petitioner

Vs.

1. P.Kalyana Sundaram
2. Santhasakthivel
3. G.Banumathi

... Respondents

Prayer :- Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the fair and decreetal order dated 30.08.2018 passed in I.A.No.680 of 2018 in O.S.No.1735 of 2009 on the file of the learned Principal District Munsif, Coimbatore and allow the above Civil Revision Petition.

For Petitioner : Mr.V.V.Sairam

For Respondents
For R1 & R2 : Mr.R.Venkatajalapathy

ORDER

This Civil Revision Petition is directed as against the fair and decreetal order dated 30.08.2018 passed by the learned Principal District Munsiff, Coimbatore, in I.A.No.680 of 2018 in O.S.No.1735 of 2009, thereby dismissing the petition to direct the respondents to produce the document, which sought for by the petitioner.

2. The petitioner is the second defendant and the respondents are the plaintiffs. The respondents filed suit for declaration declaring that the settlement deed dated 30.04.2009, executed by the first defendant in favour of the petitioner herein in respect of the suit property, as null and void. While pending the suit, the petitioner filed petition in I.A.No.86 of 2017 seeking permission to file additional written statement and the same was dismissed. Aggrieved by the same, the petitioner preferred a Civil Revision Petition in C.R.P.No.1348 of 2018 before this Court and the same was allowed by an order dated 17.04.2018.

3. In that order, this Court specifically instructed the trial Court that it must be vigilant during the trial and ensure that the parties do not travel into the realm of irrelevances. This Court further directed the trial Court to dispose the suit or on before 31.10.2018. Immediately, the petitioner filed this present petition to direct the respondents to produce and submit the title deed of 0.4 cents in S.F.No.171, Karamadai Village. Whereas the document, which is sought to be declared as null and void in the main suit, is completely different one. Therefore, the trial Court rightly dismissed the petition for reason that the document, which is sought to be produced, is not necessary and there is no relevancy to the suit property. This Court finds no infirmity or illegality in the order passed by the Court below.

4. With the above directions, this Civil Revision Petition stands dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to cost.

Internet : Yes
Index : Yes/No
Speaking order/Non-speaking order
rts

G.K.ILANTHIRAIYAN, J.

rts

To

1. The Principal District Munsif,
Coimbatore
2. The Section Officer,
V.R. Section,
Madras High Court,
Chennai.



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