



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2021

CORAM :

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.R.P. (PD) (MD) .Nos.101 & 127 of 2021

and

C.M.P. (MD) Nos. 644, 829, 3626 & 3630 of 2021

WEB COPY

C.R.P. (PD) (MD) .No.101 of 2021

Pala.Lakshmanan

... Petitioner/Petitioner/Plaintiff

**Vs.**

1.A.Malliga

2.The Tahsildar,  
O/o.the Tahsildar,  
Karaikudi,  
Sivagangai District.

3.The Revenue Divisional Officer,  
O/o.the Revenue Divisional Officer,  
Ramnagar, Devakottai,  
Sivagangai District.

4.The District Collector,  
O/o.The District Collector,  
Sivagangai District.

... Respondents/Respondents/Defendants

**PRAYER:** Civil Revision Petition filed under Article 227 of the Constitution of India, to call for the records pertaining to the order, dated 04.12.2020 passed in I.A.No.10 of 2020 in O.S.No.173 of 2017 on the file of the learned Additional District Munsif, Karaikudi and set aside the same.

|                |                                                  |
|----------------|--------------------------------------------------|
| For Petitioner | : Mr.Lajapathi Roy for<br>Mr.T.Thirumurugan      |
| For R-1        | : Mr.Selva Aditya for<br>Mr.G.Prabhu Rajadurai   |
| For R-2 to R-4 | : Mr.A.Baskaran<br>Additional Government Pleader |



**C.R.P. (PD) (MD) .No.127 of 2021**

1.M.Kumar  
2.M.Ganesan  
3.M.Chinnammal

... Petitioners/Petitioners/Plaintiff

WEB COPY

**Vs.**

1.A.Malliga

2.The Tahsildar,  
O/o.the Tahsildar,  
Karaikudi,  
Sivagangai District.

3.The Revenue Divisional Officer,  
O/o.the Revenue Divisional Officer,  
Ramnagar, Devakottai,  
Sivagangai District.

4.The District Collector,  
O/o.The District Collector,  
Sivagangai District.

5.The Sub-Registrar (II),  
O/o.The Sub-Registrar (II),  
Karaikudi Town,  
Sivagangai District.

... Respondents/Respondents/Defendants

**PRAYER:** Civil Revision Petition filed under Article 227 of the Constitution of India, to call for the records pertaining to the order dated 28.10.2020 passed in I.A.No.269 of 2019 in O.S.No.144 of 2016 on the file of the learned Principal District Munsif Cum Judicial Magistrate, Karaikudi and set aside the same.

|                 |                                                  |
|-----------------|--------------------------------------------------|
| For Petitioners | : Mr.Lajapathi Roy for<br>Mr.T.Thirumurugan      |
| For R-1         | : Mr.Selva Aditya for<br>Mr.G.Prabhu Rajadurai   |
| For R-2 to R-5  | : Mr.A.Baskaran<br>Additional Government Pleader |

**COMMON ORDER**

*C.R.P. (MD)No.101 of 2021* has been filed to set aside the order, dated 04.12.2020 in I.A.No.10 of 2020 in O.S.No.173 of 2017, passed by the learned Additional District Munsif, Karaikudi

*C.R.P. (MD)No.127 of 2021* has been filed to set aside the order, dated 28.10.2020 in I.A.No.269 of 2019 in O.S.No.144 of 2016, passed by the learned Principal District Munsif Cum Judicial Magistrate,

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



Karaikudi.

2.Heard on either side. Perused the material documents available on record.

3.O.S.No.173 of 2017 was filed by the revision petitioner/plaintiff in C.R.P.(MD)No.101 of 2021, for declaration of title of the suit property and consequential relief of permanent injunction. O.S.No.144 of 2016 was filed by the revision petitioners/plaintiffs in C.R.P.(MD)No.127 of 2021 for the relief of declaration and for consequential injunction and for mandatory injunction restraining the fifth respondent from registering any document with regard to the suit property.

4.During the pendency of the suit, the revision petitioner in C.R.P.(MD)No.101 of 2021 has filed a petition in I.A.No.10 of 2020 in O.S.No.173 of 2017 under Sections 65 & 66 of the India Evidence Act and under Section 151 of Civil Procedure Code, to call for (i). the original registers and certified copies, dated 20.12.1968 in Doc.No.76/1968, (ii) dated 03.01.1969 in Doc.No.71/1969 and (iii). dated 24.03.1973 in Doc.No.30/1973, which were registered at Joint-II Sub Registrar Office, by Joint-II Sub-Registrar, before this Court, and the same was dismissed by the learned Additional District Munsif, Karaikudi, on 04.12.2020. The revision petitioners/plaintiffs in C.R.P.(MD)No.127 of 2021 has filed a petition in I.A.No.269 of 2019 in O.S.No.144 of 2016 under Order 11 Rule 14 of Civil Procedure Code, directing the 5<sup>th</sup> respondent to produce the documents mentioned in the petition before this Court and the same was dismissed by the learned Principal District Munsif, Karaikudi, on 28.10.2020. Aggrieved over the aforesaid order, dated 04.12.2020 and 28.10.2020, the petitioners are before this Court.

5.It is seen from the records that the revision petitioners have claimed their rights through these three documents. All the documents are registered documents. The revision petitioner can very well apply for certified copy and produce before the trial Court.

6.Pending these Civil Revision Petitions, the revision petitioners have applied certified copy of the cancellation of Will and the same was returned by the Sub-Registrar, Joint Sub Registrar No.II, Karaikudi and seeking death certificate of the executant of the Will. It is necessary to issue certified copy of all the documents.

7.Admittedly, all the documents are registered documents. The revision petitioner is directed to apply certified copies in the three documents and the Joint Sub-Registrar No.II, Karaikudi, is directed to issue certified copies of the registered documents, within a period of one month from the date of receipt of application. The learned Principal District Munsif, Karaikudi, is



directed to receive certified copies of the documents since the documents are necessary for the issues involved in the suits in O.S.Nos.173 of 2017 & 144 of 2016.

8. With the above observations, these Civil Revision Petitions are disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

ksa

**Note:** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

1. The Principal District Munsif, Karaikudi.
2. The Additional District Munsif, Karaikudi.
3. The Principal District Munsif Cum Judicial Magistrate, Karaikudi.
4. The Joint Sub-Registrar No.II, Karaikudi.

Copy to

The Section Officer,  
V.R. Section,  
Madurai Bench of Madras High Court,  
Madurai. (2 Copies)

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate ( SR-30097[F] dated 23/09/2021 )

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-30030[F] dated 23/09/2021)

**Common Order made in**  
**C.R.P. (PD) (MD) .Nos.101 & 127 of 2021**  
**22.09.2021**