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CRP (MD) No.1409 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B. PUGALENDHI**

**CRP (MD) No.1409 of 2022**

**and**

**CMP (MD) No.5857 of 2022**

Mariappan

: Petitioner

Vs.

South India Ishaathul Islam Sabai,  
Rep. by its Secretary,  
Kailasapuram,  
Tirunelveli Junction,  
Tirunelveli Taluk,  
Tirunelveli District.

: Respondent

**PRAYER:** Civil Revision Petition filed under Article 227 of the Constitution of India to call for the records of the order dated 26.03.2022 made in I.A.No.1 of 2022 in O.S.No. 532 of 2018 on the file of the Principal District Munsif Court, Tirunelveli, and set aside the same.

For Petitioner

: Mr.R.Pon Karthikeyan

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**ORDER**

This revision petition is filed as against the fair and decreetal order dated 26.03.2022, passed by the learned Principal District Munsif, Tirunelveli, in I.A.No.1 of 2022 in O.S.No.532 of 2018.



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2.The petitioner / plaintiff has filed the interlocutory application in I.A.No.1 of 2022 under Order 16 Rule 1 CPC to summon the Sub Registrar, Palayamkottai, for examining him as a witness, for the purpose of identifying the signature and thumb impression of the parties in a Document dated 06.12.1968. Based on this document, according to the petitioner / plaintiff, the subsequent document Ex.A3 was executed between the parties by way of a registered deed in No.1266/1972.

3.The trial Court has rejected the application of the petitioner on the ground that the document dated 06.12.1968 is not a registered one; it was not placed before the Court and that if the document is required, then the same can be marked before the Court by obtaining necessary certified copy.

4.This Court does not find any error in the stand taken by the trial Court. When the document is neither produced nor marked before the Court, there is no necessity to compare the signatures and thumb impression by summoning



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the Sub Registrar. Therefore, this civil revision petition stands dismissed. It is always open to the petitioner to establish his case in the manner known to law. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No  
Internet : Yes  
gk

**12.07.2022**

To

The Principal District Munsif,  
Tirunelveli.



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**B. PUGALENDHI, J.**

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