



WEB COPY



CRP No.1854 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2023

CORAM:

THE HONOURABLE Mr. JUSTICE V.LAKSHMI NARAYANAN

CRP No.1854 of 2019 and CMP No.12256 of 2019

1.Mohamed Ansari

2.Sidhi Nabisathul Bathuriya

.... Petitioners

VS

Chidambaram Sri Thillai Govindarajaswamy Devasthanam

Represented by its hereditary Trustees,

Executive Presidents

1.Thiruvengadam

2.V.S.Krishnamachari

3.J.Sudarsan

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decreetal order passed in I.A.No.23 of 2019 in O.S.No.48 of 2011 dated 12.02.2019 on the file of Additional District Musif, Chidambaram.

For Petitioners : Mr.A.Muthukumar

For Respondents : Ms.S.Aishwarya
for M/s P.Veena Suresh



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ORDER

This Civil Revision Petition challenges the order passed under Order 13 Rule 3 of Civil Procedure Code, whereby, the Court received the property Register of the Chidambaram Sri Thillai Govindarajaswamy Devasthanam Temple. The property Register was marked as Ex.C.1. The said application was dismissed, against which, the present revision is filed.

2. Heard Mr.A.Muthukumar, learned counsel for the revision petitioners and Ms.S.Aishwarya, learned counsel for the respondents.

3. The trial Court has felt that the document filed along with plaint has to be marked in evidence and it has marked as Ex.C.1. The Court has absolute discretion whether to mark a document or not. No party can dictate to the Court that the document should not be filed or exhibited. The error, if at all, is that having received the document, the civil revision petitioners were not permitted to cross examine the plaintiff on that document. If that opportunity is given, I feel that it will complete the circle in receiving and marking the document as Ex.C.1.



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4. Mr.Muthukumar states, on instructions from his counter part, that he will conduct the cross examination on 10.08.2023. P.W.1 is directed to be present on that day and Mr.Muthukumar's counter part will cross examine the said witness on **Ex.C.1 alone on that day.**

5. It is made clear that taking advantage of the permission granted by this Court, the cross examination cannot meander here there and everywhere. It shall be confined to **only Ex.C.1.**

6. With the above liberty, the civil revision petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

27.07.2023

Index:Yes/No

Speaking order/Non-speaking order

sr

To

The Additional District Musif, Chidambaram.



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V.LAKSHMINARAYANAN,J.,

SR

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