



C.R.P.No. 4484 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2023

CORAM:

THE HONOURABLE Mrs. JUSTICE T.V.THAMILSELVI

C.R.P.No. 4484 of 2023
and C.M.P.No. 26985 of 2023

Sri Selva Vinayagar, Sri Mariyamman
Sri Raman Kovil Public Charitable Trust
Rep. By its Secretary
T.M.Annamalai

.. Petitioner

Vs

1.Jeevan
2.Anandan
3.Sekar @ Subramani

.. Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 19.04.2023 passed in I.A.No.3 of 2023 in O.S.No.157 of 2020 on the file of the Special Sub-Ordinate Judge, (L.A.O.P.), Vellore.

For Petitioner : Mr. S.L. Sudarsanam

ORDER

This Civil Revision Petition is filed challenging the order passed in I.A.No.3 of 2023 in O.S.No.157 of 2020, the plaintiff has preferred this revision.

2. Before the trial Court, the plaintiff / petitioner herein filed an



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application seeking permission of the Court to produce the additional documents more particularly, with regard to criminal proceeding against second defendant i.e., the certified copy of the FIR, SLP proceeding, Xerox copy of the FIR in Crime No.321 of 2016. That application was dismissed by the trial Judge stating that to assess the character of the defendants, those documents are attempted to file by the plaintiff / petitioner herein, as such is not permissible in civil law. Aggrieved by the said finding, the plaintiff has preferred this revision.

3. The learned counsel for the petitioner submits that the defendants / respondents herein caused interference in the management of the temple affairs. Therefore, the suit was filed and the second defendant who attempted to take away the hundiya money and causing interference, hence, to prove the same, the petitioner wants to produce certain documents, to show the antecedents of the second defendant.



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4. Admittedly all those documents are the criminal base proceedings initiated against the second defendant, it is like a public document. Marking those documents would not cause any prejudice to the parties. If at all the character and conduct of the defendants / respondents herein need to be established, opportunity should have been given to the plaintiff / petitioner herein but the trial Judge failed. Therefore, the order passed by the trial Judge in I.A.No.3 of 2023 in O.S.No.157 of 2020 on the file of the Special Subordinate Judge (LAOP) Vellore is set aside.

5. Accordingly, the Civil Revision Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

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Index :Yes/No
Neutral Citation :Yes/No
AT

To
The Special Sub-Ordinate Judge, (L.A.O.P.), Vellore.



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T.V.THAMILSELVI, J.

AT

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