



C.R.P.No. 4866 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2023

CORAM:

THE HONOURABLE Mrs. JUSTICE T.V.THAMILSELVI

C.R.P.No. 4866 of 2023

S. Deepak Kumar

.. Petitioner

Vs

1.Vengeeswarar Devasthanam
rep., by its hereditary Trustee,
G. Premanand

2.Special Deputy Collector (L.A.)
Tamil Nadu Urban Development Projecting
Chennai @ Poonamallee,
Chennai – 600 056.

.. Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the docket order of the learned VI Assistant City Civil Judge, Chennai dated 16.11.2023 in L.A.O.P.No.68 of 2014.

For Petitioner : Mr. K.V. Babu



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ORDER

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This Civil Revision Petition is filed challenging “A” Diary Extract made by the trial Judge in respect of reception of the document. The second claimant has preferred this revision.

2. Before the trial Court, the claimants had produced document i.e., extract of the land register and the claimants want to mark on their side along with certificate under Section 65B, as required under law. But that document was not permitted to mark by the trial Judge stating that the claimants have to file application to receive the document under Order VII Rule 14 (3) of CPC. Aggrieved by the said finding, the second claimant has preferred this revision.

3. Admittedly, as a claimants they are conducting proceedings before the LAOP and during evidence, they have produced document i.e., extract of the land register. Since the claimants is a temple, they produced 65(B) certificate. So there is no necessity to file separate application under Order VII Rule 14(3) of CPC and the same was also rightly observed by this



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Court in C.R.P.No.1020 of 2023, which is squarely applicable to the facts of the case. Therefore, the document produced on the side of the claimants along with 65(B) certificate itself is sufficient. Therefore, the finding made by the trial Judge is set aside. The claimant / petitioner herein is permitted to mark document.

4. In the result, the Civil Revision Petition is allowed. No costs.

21.12.2023

Index :Yes/No

Neutral Citation :Yes/No

AT

To

The VI Assistant City Civil Judge, Chennai.



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T.V.THAMILSELVI, J.

AT

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