



C.R.P.No.1041 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P. No. 1041 of 2024

and

C.M.P. No.5427 of 2024

Murugesan S/o. Kumaran

... Petitioner

vs.

1. Palaniammal W/o. Cinnu @ Arumugam

2. Ganesan S/o. Cinnu @ Arumugam

3. Mathaiyan S/o. Rangasamy

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of Code of Civil Procedure, praying to set aside the fair and decreetal order dated 03.10.2023 made in I.A. No.6 of 2023 in O.S. No.92 of 2013 on the file of the District Munsif Court, Sankari.

For Petitioner

:

Mr. R. Marudhachalamurthy

ORDER

The Civil Revision Petition is filed challenging the order passed by the Trial Court dismissing the application filed by the petitioner seeking to condone delay in producing certain documents.



2. The respondents herein filed a Suit for declaration of their right over the Suit property and for mandatory injunction to restore cart track. Pending suit, the petitioner filed an application to produce computer copy of the registration certificate of his Swift D'zire Car bearing Registration No.TN52 E 6999 as documents. Since the said document was not filed along with the written statement, he filed an application to condone delay in producing the said document. The said application was dismissed by the Trial Court on the ground that Registration Certificate of car is unnecessary and irrelevant to prove the right of petitioner over the Suit property. Aggrieved by the same, the petitioner is before this Court.

3. It is seen from the records that the Suit is for declaration of right of the respondents over the Suit cart track and for mandatory injunction to restore the same. The Suit is concerning right over the immovable property and the petitioner wants to produce the registration certificate of his Swift car as a document in the Suit. How the registration certificate of his car will help him to establish his right in respect of immovable properties, is not at all explained. The Trial Court rightly came to the conclusion that the registration



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certificate of the petitioner's car is unnecessary to decide the controversy involved in the Suit concerning immovable properties. Therefore, I do not find any error in the order passed by the Trial Court.

4. Accordingly, the Civil Revision Petition is dismissed. No costs. Connected miscellaneous petition is closed.

20.03.2024

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
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To

The District Munsif Court, Sankari.



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S.SOUNTHAR, J.

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