



C.R.P.(PD)No.2320 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

C.R.P.(PD)No.2320 of 2023

and

C.M.P.No.14093 of 2023

1.Ramani

2.G.R.Sekar

.. Petitioners

Vs.

1.S.Venkatasubramanian

2.S.Saraswathi

3.A.Lakshmi

4.P.Parvathi

5.Nandini

6.Minor Nethra

7.The Special Commissioner for
Land Administration,
Chepauk, Chennai – 600 005

8.The Director of Survey

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and Settlement,
Chepauk, Chennai – 600 005

9.The Special Assistant
Settlement Office,
Thiruvannamalai,
Thiruvannamalai District

10.The Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Fort St.George,
Chennai – 600 009

11.The Collector of Madras,
Office of the Collectorate,
Chennai – 600 001

12.M/s.KGFYES Residency Private Limited,
Represented by its Managing Director,
P.V.Shanmugam,
having its office at No.10,
2nd Cross Street,
Raja Annamalaipuram,
Chennai – 600 028

13.Eby Thomas

14.P.Srinithi

.. Respondents

Prayer : The Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records of order, dated 09.06.2023, passed in I.A.No.12 of 2022 in O.S.No.5893 of 2013 on the file of the learned XV Assistant Judge, City Civil Court at Chennai and to set aside the same.



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For Petitioners : Mr.M.Marimuthu

For R1 to R3, R5,
R6, R12 & R14 : Mr.R.Parthasarathy
Senior Counsel for
Mr.Rahul balaji

For RR7 to 11 : Ms.Amirtha Dinakaran
Government Advocate

For R13 : Mr.S.S.Swaminathan

ORDER

The present Civil Revision Petition arises against an order, dated 09.06.2023, passed by the learned XV Assistant City Civil Judge at Chennai in I.A.No.12 of 2022 in O.S.No.5893 of 2013.

2. O.S.No.5893 of 2013 is a suit seeking the following reliefs :

(a) declaration that the decree passed in O.S.No.14133 of 1996, dated 20.10.2006, as null and void and not binding upon the plaintiffs.

(b) for permanent injunction restraining defendant Nos.1 to 6 and 12 from encumbering the suit schedule mentioned property.

3. Defendant Nos.1 to 6, 11 and 12 filed a detailed written statement and the matter is now at the stage of trial. The plaintiffs took out an



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application in I.A.No.12 of 2022 seeking direction of the Deputy Secretary to the Government, Revenue Department to produce the following list of documents :

“(1) A Register, Settlement Register, Correlation Register and the Town and Survey Register maintained by the respondents 7 to 11 with regard to the land in subject matter of this suit i.e., extent of 1.31 acre in Survey No.172/3 which is originally correlated to Paimash No.969 and classified as Kuttai Poromboke in Thiruvanmiyur Village, Chennai.

(2) The claim of the Respondents 1 to 6 herein and their predecessors rejected by the Special Settlement Officer, Chinglepet on 15.02.1963 vide K.P.71/11 REVENUE/SDT62.

(3) The Revision Petition in R.P.No.452 of 1963 rejected by the Director of Survey and Settlement on 31.08.1967.

(4) The claim of the Respondents 1 to 6 herein and their predecessors rejected by the Special Commissioner for Land Administration on 05.07.1994.

(5) The claim of the respondents rejected by the Government vide its



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Letter No.32874/SSI (1)/93-10 Revenue Department dated 07.03.1996.

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(6) Old Patta No.246 and Patta No.55 submitted by the respondents

1 to 6 herein and their predecessors with regard to the land in Survey No.172/3 in Thiruvanmiyur Village, Chennai.”

4. Being public records, I have compared the list of the documents that the plaintiffs presently seek with the list of the documents that had been filed in O.S.No.14133 of 1996 on the file of the XVI Assistant City Civil Court at Chennai. The list of the documents are clear from the perusal of the judgment dated 20.10.2006.

5. On verification of the judgment, it became clear that the petition mentioned document Nos.2 to 5 had already been produced by the plaintiffs as Ex.A4, Ex.A5, Ex.A10 and Ex.A19 in that suit respectively. That left out document Nos.1 and 6.

6. The document No.1, as seen above, is the 'A' register and other



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connected settlement records. The document No.6 is the Patta on which defendant Nos.1 to 6 relied upon in the proceedings.

7. In order to give a quietus to this issue, I requested Ms.Amirtha Dinakaran to produce document Nos.1 and 6. Today, she has produced all the records relating to Item No.1 of the schedule of the document and it has been handed over to the learned counsel appearing on behalf of the plaintiffs.

8. Mr.R.Partha Sarathy, learned senior counsel for Mr.M.Rahul Balaji, states that he will produce Patta No.55 which was relied upon by them in O.S.No.14133 of 1996 and hand over the copy of the same to the learned counsel appearing for the plaintiffs.

9. It is made clear that all the other documents required by the parties are already available in the Court. It is open to the plaintiffs to apply for the certificate copies of the documents Ex.A4, Ex.A5, Ex.A10 and Ex.A19 in O.S.No.14133 of 1996 and produce the same in the suit in O.S.No.5893 of 2013.



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10. As all the records that the plaintiffs want have been given to them, nothing further remains to be adjudicated. Therefore, recording the undertaking given by Mr.Rahul Balaji, the Civil Revision Petition stands dismissed. No costs. The connected Civil Miscellaneous Petition is closed.

11. It is made clear that the documents that have been produced through the good office of Ms.Amirtha Dinakaran can be relied by the plaintiffs as it is come from proper custody.

28.06.2024
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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No

V. LAKSHMINARAYANAN, J.



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WEB COPY To

The learned XV Assistant Judge, City Civil Court,
Chennai

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and
C.M.P.No.14093 of 2023

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(2/2)