



C.R.P(MD)No.501 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.04.2024**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(MD)No.501 of 2018

Santhosamary

... Petitioner/Petitioner
1st Defendant

Vs.

1.Mariyasoosai

... 1st Respondent/1st Respondent
Plaintiff

2.Thairiyarayar

3.Bangiyaraj

4.Stellabesi

5.Edward Arulraj

6.Belicks Gnanaraj

7.The Tahsildar,
Tahsildar Office,
Manachanallur Taluk,
Trichy District.

8.The Revenue Divisional Officer,
Revenue Divisional Office,
Lalgudi, Trichy District.

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9. The Tamil Nadu Government,
Represented by its Collector,
Collector Office,
Trichy District.

... Respondents/Respondents
Defendants 2 to 9

*(9th Respondent is set ex parte in Lower
Court)*

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order, dated 28.11.2017 passed in I.A.No.484 of 2017 in O.S.No.369 of 2010 on the file of the learned District Munsif Court, Lalgudi, Trichy District by allowing this Revision Petition.

For Petitioner	: Mr.S.Karthik
For R-1	: Ms.M.Aruna Rani
For R-2 to R-6	: No appearance
For R-7 to R-9	: Mr.C.Satheesh Government Advocate

ORDER

The present Civil Revision Petition has been filed by the first defendant in O.S.No.369 of 2010 on the file of the District Munsif Court, Lalgudi, challenging an order, wherein the Trial Court had dismissed an



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application filed by the defendant for rejecting Exhibit A.4.

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2. The first respondent herein as plaintiff has filed a suit for declaration of title and permanent injunction. Through proof affidavit, the plaintiff as P.W.1 has marked Exhibits A.1 to A.19. After marking of the said documents, the first defendant had filed I.A.No.484 of 2017 under Order XIII, Rule 3 of CPC to eschew / reject Exhibit A.4 on the ground, it is an un-stamped and unregistered document.

3. The plaintiffs have filed a counter contending that though the document is un-stamped and unregistered, it is filed only for collateral purposes. The learned Trial Judge was gone through the document, has recorded a finding that it is a Muchalika, which has recorded the previous allotment of properties in favour of the parties and therefore, it does not require any registration. Challenging the same, the present revision petition has been filed.



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4. This Court by an order, dated 26.02.2024 had directed the revision petitioner to produce a copy of Exhibit A.4 and posted the matter on 14.03.2024. On 14.03.2024, the petitioner has sought further time and the matter has again being adjourned to 10.04.2024. Even today, the petitioner has not produced a copy of Exhibit A.4. Therefore, this Court is constrained to confirm the order of the Trial Court. Hence, there are no merits in the Civil Revision Petition.

5. In the result, this Civil Revision petition stands dismissed. There shall be no order as to costs.

10.04.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

1. The District Munsif Court, Lalgudi,
Trichy District.

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2.The Section Officer,
Vernacular Record Section,
Madurai Bench of Madras High Court,
Madurai.

3.The Tahsildar,
Tahsildar Office,
Manachanallur Taluk,
Trichy District.

4.The Revenue Divisional Officer,
Revenue Divisional Office,
Lalgudi, Trichy District.

5.The Collector,
The Tamil Nadu Government,
Collector Office,
Trichy District.



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R.VIJAYAKUMAR, J.

BTR

Order made in
C.R.P(MD)No.501 of 2018

10.04.2024