



C.R.P.(MD)No.2492 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 17.10.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.2492 of 2024
and
C.M.P.(MD)No.14302 of 2024

Rani ... Petitioner / 2nd Defendant

Vs.

1.Murugan ... 1st Respondent / Plaintiff

2.Thilakavathy ... 2nd Respondent / 1st Defendant

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, against the docket order dated 20.08.2024 made in O.S.No.379 of 2010 on the file of the learned Principal District Munsif Court, Thirumangalam.

For Petitioner : Mr.R.G.Shankar Ganesh

ORDER

Heard the learned counsel appearing for the revision petitioner.

2. The petitioner is figuring as second defendant in O.S.No.379 of 2010 on the file of the Principal District Munsif Court, Thirumangalam. The suit is



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for the relief of declaration and permanent injunction. The case put forth in the plaint is that the plaintiff is an insane person and that therefore, the execution of the sale deed by him is null and void. The plaintiff had examined one Dr.Sam Elango as P.W.2. A bunch of documents had been marked through him. The court below permitted such marking. The defendants question the same on quite a few grounds. The first contention is that the said witness had admitted in the cross examination that the documents were obtained only from the plaintiff himself. Secondly, the documents are photocopies and that according to the revision petitioner, they do not satisfy the parameters set out in Section 65 of the Indian Evidence Act.

3. I am of the view that this issue need not be gone into at this stage. It is always open to the revision petitioner herein to canvass all these points when the main hearing takes place. In other words, relevancy, admissibility and proof are left open. The Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

17.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To:

The Principal District Munsif Court, Thirumangalam.



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G.R.SWAMINATHAN, J.

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