



C.R.P(MD)Nos.3251 to 3253 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

C.R.P(MD)Nos.3251, 3252 and 3253 of 2023

and

C.M.P(MD)Nos.16810, 16036 and 16038 of 2023

1.Rathinam

2.Poomari

3.Senthilkumar

4.Seela Devi

5.Maruthupandiyan

... Petitioners

Vs

Thangaraj

... Respondent

Common Prayer : Civil Revision Petitions filed under Article 227 of Constitution of India to call for the records and set aside the fair and decreetal order passed in I.A.Nos.4, 5 and 6 of 2023 in O.S.No.13 of 2018 dated 11.10.2023, by the learned Principal District Munsif, Thirumangalam, Madurai District.



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For Petitioners : Mr.C.Selvakumar

For respondent : Mr.S.Balaji

(in both CRPs)

ORDER

This Civil Revision Petitions filed to call for the records and set aside the fair and decreetal order passed in I.A.Nos.4, 5 and 6 of 2023 in O.S.No.13 of 2018 dated 11.10.2023, by the learned Principal District Munsif, Thirumangalam, Madurai District.

2. The suit in O.S.No.13 of 2018, is filed by the respondent herein, seeking the relief of permanent injunction and for costs. The defendant appeared and filed written statement. Trial commenced. During the course of trial process, the respondent herein filed the impugned I.A.Nos. 4, 5 and 6 of 2023, seeking the permission of the Court to reopen, recall and receive the documents, by condoning the delay, stating that he failed to produce and mark the Natham survey sketch, 'A' Register copy. Those applications were allowed against which these three revision petitions are preferred.



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3. Heard both sides.

4. A query was made by this Court to the learned counsel for the respondent herein as to the reason for the delay in producing the documents. He would submit that he produced the xerox copy of the document now sought to be produced along with the plaint. Now he wants to replace those documents with the certified copies. Only for that purpose, he filed those applications.

5. Per contra, learned counsel for the petitioner would submit that eventhough, those documents were filed along with the plaint, the respondent herein omitted to mark those documents at the time of examination of P.W.1 in chief. After cross examination was over, now the present petitions have been filed.

6. Perusal of the annexure along with the plaint indicates that A- Register copy was produced along with the plaint. But the FMB sketch is not produced along with the plaint. Since all these documents are only official documents, there can be no objection that too valid objections, can be made by the revision petitioners. I find that



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absolutely, no valid ground is raised by the revision petitioner in the grounds. Simply because there are some contradictions in the evidence of P.W.1, the right of producing the documents and relevant public records, cannot be denied. Without proper reason, these revision petitions are filed. I find absolutely no reason to entertain these petitions and they are liable to be dismissed.

7. With the above observation, these Civil Revision Petitions are dismissed. No costs. Consequently, connected miscellaneous petitions stand closed.

20.03.2024

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

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To

- 1.The Principal District Munsif, Thirumangalam, Madurai District.
- 2.The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN, J.

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