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C.R.P.No. 146 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.02.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P.No. 146 of 2025

&

C.M.P. No. 1104 of 2025

Vijayalakshmi

...Petitioner

Vs.

1.Ayyavu

2.Sivagami

3.Manigandhan

...Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, against order passed in IA.No.3 of 2023 in OS.No.87 of 2022 dated 12.04.2024 on the file of the II Additional District Munsif, Salem.



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For Petitioner : Mr. D.Velu

ORDER

The revision petitioner who is the plaintiff in the suit O.S.No.87 of 2022 and the respondent in I.A.No.3 of 2023, is before this Court.

The short facts are as follows.

2. The petitioner had filed a suit O.S.No.87 of 2022 on the file of the II Additional District Munsif, Salem, for a permanent injunction restraining the defendants, their men and agents from in any way interfering with the plaintiff's peaceful possession and enjoyment of the suit property.

3. The contention of the petitioner in the petition is that she is the owner of the suit property having purchased the same under a registered sale deed dated 11.01.2021. From that day, she has been in possession and enjoyment of the property. The petitioner would submit that pending the suit, the respondents / defendants came forward with



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an application in I.A.No.3 of 2023 for condoning the delay in receiving the documents. These documents were xerox copies of unregistered sale deeds dated 19.10.1994 and 30.04.1999 along with the other documents. This application has been allowed by the learned II Additional District Munsif, Salem. Therefore, the petitioner is before this Court.

4. Heard the learned counsel and perused the records.

5. The respondents herein has taken out an application only to receive the additional documents. Ultimately, when the documents are sought to be marked it is well open to the petitioner to question the same since the very receipt of the documents are subject to proof and relevancy. When the documents are sought to be marked at this stage the registration or otherwise of the documents, objections on the ground of xerox copies being received in evidence etc., shall be taken.



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6. Therefore, the Civil Revision Petition is disposed of with a direction to the learned II Additional District Munsif, Salem to permit the petitioner to raise all issues relating to the marking of the documents and the said objection shall be considered and orders passed by the learned II Additional District Munsif, Salem. Consequently, the connected miscellaneous petition is closed. No costs.

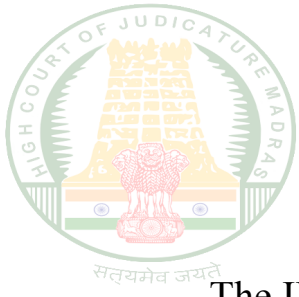
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Salem.

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P.T. ASHA, J.



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