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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2025

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THE HONOURABLE MR JUSTICE P.B. BALAJI

CRP.Nos.2017, 2018 & 2019 of 2024

& CMP.No.10781 of 2024

Krishnan (Deceased)

1.Thirunavukkarasu K

2.Veeramani K

3.Prasanth

... Petitioners

Vs.

1.Muniyan

2.Ealakanni

3.Shanmugham

... Respondents

Common Prayer: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order and decreetal order dated 10.07.2023 passed by the District Munsif at Madurantakkam, Kanchipuram District, dismissing I.A.No.7, 8 and 9 of 2023 in O.S.No.174 of 2012 respectively on the file of the District Munsif at Madurantakkam, Kanchipuram District and allow I.A.No.7 of 2023.



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For Petitioners : Mr.N.Nagu Sah in all CRPs

COMMON ORDER

These revisions have been filed, challenging the common order dated 10.07.2023 in I.A.Nos.7, 8 and 9 of 2023 in O.S.No.174 of 2012 on the file of the District Munsif at Madurantakkam, Kanchipuram District. The said applications were taken out by the plaintiff for reopening and recalling P.W.1 and for marking additional documents.

2.The said applications were objected to by the respondents, stating that it was an attempt only to drag on the proceedings and it is only a suit for injunction. The Trial Court, after considering the respective contentions of the parties, proceeded to dismiss the applications, as against which, the present revisions have been filed.

3.I have heard Mr.N.Nagu Sah, learned counsel for the petitioner in all the revisions.

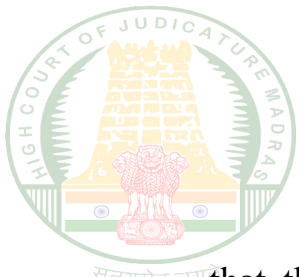


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4.The learned counsel for the petitioners states that only in view of the averments set out in the written statement, it has become necessary for the plaintiff to file additional documents to establish that a particular extent alone was conveyed in favour of the defendants and therefore, there was no justification for the defendants to hold an excess land over and above what was conveyed to them or what was possessed by them.

5.However, I find that the applications firstly were taken up at the stage of arguments. The written statement was filed by the 2nd defendant as early as in August 2022 and therefore, there is no reference to the title documents of the 2nd defendant or the extent purchased by the 2nd defendant in the said written statement. Therefore, there was no occasion for the plaintiff to state that only because of the stand taken in the written statement, the applications were necessitated.

6.As rightly observed and found by the Trial Court, the applications did not even disclose as to why the documents were not even pleaded in the plaint or there was no request made at the earlier stage of trial and the fact



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that the defendants have also not disputed the plaintiff's title would not require the said additional documents to be taken on file, that too, at the fag end of trial. I do not find any infirmity or perversity in the findings arrived at by the Trial Court, warranting interference under Article 227 of Constitution of India.

7.In fine, the Civil Revision Petitions are dismissed. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

22.08.2025

Speaking/Non-speaking : Yes/No

Index : Yes / No

Internet : Yes / No

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To

The District Munsif, Madurantakkam, Kanchipuram.



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P.B. BALAJI,J.

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