

Rev.Aplo.No.12 of 2025  
in A.Nos.4738 of 2024 & 4058 of 2025  
and C.S.No.581 of 2013

**C.V.KARTHIKEYAN, J.**

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This matter is listed today under the caption 'for being mentioned'.

2.It is submitted by the learned counsel for the applicant that in the order dated 19.08.2025, instead of A.No.4738 of 2024, it has been wrongly mentioned as A.No.4058 of 2025 in the cause title and in paragraph Nos.1, 2 & 10.

3.Registry is directed to incorporate A.No. 4738 of 2024 in the order dated 19.08.2025, wherever it has been inadvertently typed, especially, in paragraph Nos.1, 2 & 10 and issue a fresh order copy.

**29.08.2025**

*sli*



IN THE HIGH COURT OF JUDICATURE AT MADRAS



DATED : 19.08.2025

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WEB COPY THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

Rev.Aplo.No.12 of 2025

and

A.No. 4058 of 2025

Rev.Aplo.No.12 of 2025:-

S.M.Siddique

...Review Applicant

Vs.

1.Latha Saravanan

2.S.Rohith Kumar

3.S.Sandhya

4.M.Saravanan

5.The Sub-Registrar

Anna Nagar, Office of the Sub-Registrar

Anna Nagar, Chennai-600037.

... Respondents

**Prayer :** This Review application has been filed under Order XIV Rule 8 of the Original Side Rules read with Order XLVII Rule 1 read with Section 114 of the Code of Civil Procedure, praying to review the order dated 06.03.2025 made in A.No.4738 of 2024 in C.S. No. 581 of 2013.

For Review Applicant : Mr.M.S.Seshadri

for M/s.Aishwarya S.Nathan

For Respondents : Mr.K.M.Venugopal (DD2 to 4)

Mr.P.M.Solendran (D1)

M/s.G.Ameedius (GA) (D5)

A.No. 4058 of 2025:-

S.M.Siddique

...Review Applicant

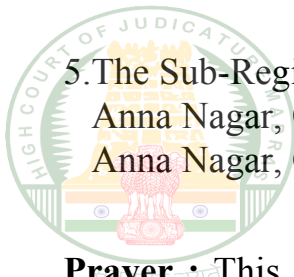
Vs.

1.Latha Saravanan

2.S.Rohith Kumar

3.S.Sandhya

4.M.Saravanan



5.The Sub-Registrar  
Anna Nagar, Office of the Sub-Registrar  
Anna Nagar, Chennai-600037.



... Respondents

**Prayer :** This Review application has been filed under Order XIV Rule 8 of the Original Side Rules read with Order XLVII Rule 1 read with Section 114 of the Code of Civil Procedure, praying to stay all further proceedings in C.S. No. 581 of 2013 and Tr.C.S. No.713 of 2016 pending disposal of the present Review Application and pass such further or other orders as this Court may deem fit and proper in the facts and circumstances of the present case.

For Review Applicant : Mr.M.S.Seshadri  
for M/s.Aishwarya S.Nathan

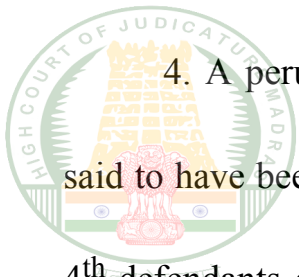
For Respondents : Mr.K.M.Venugopal (DD2 to 4)  
Mr.P.M.Solendran (D1)  
M/s.G.Ameedius (GA) (D5)

### **C O M M O N O R D E R**

Review Application No.12 of 2025 had been filed by the plaintiff in the suit seeking to review an order dated 06.03.2025 made in Application No.4058 of 2024 in the suit.

2. Application No. 4058 of 2024 had been filed by the 2<sup>nd</sup>– 4<sup>th</sup> defendants during the course of trial seeking permission to file further documents in the suit. The further documents had been listed out in the schedule to the Judges Summons.

3. This application came up for consideration before a learned Single Judge of this Court, who by order dated 06.03.2025 had allowed the said application and permitted the documents to be taken on record.



4. A perusal of the documents show that the first document is the copy of said to have been executed by Dr.Senthamarai Manivannan, the grand-mother of the 3<sup>rd</sup> and 4<sup>th</sup> defendants on 09.07.1988. The other documents are birth certificates of the 3<sup>rd</sup> and 4<sup>th</sup> defendants and a photograph of the former husband, who had been divorced from the petitioner and a copy of the gazette notification whereby the 3<sup>rd</sup> and 4<sup>th</sup> defendants had changed their names and a copy of the family ration card and encumbrance certificate and the written statement in O.S. No.2098 of 2007 on the file of IV Asst City Civil Court at Chennai and a copy of the petition in O.P. No. 121 of 2024 and a GPS photograph of the suit property.

5. In the order dated 06.03.2025, the learned Single Judge had observed that the arguments had been advanced resisting production of the said document of the Will dated 09.07.1988, that it does not find reference in the written statement and probate had not been granted by any Court. But however, it had been further observed that with respect to the Will, probate proceedings were pending in O.P. No. 121 of 2024 and the respondents in the said application /Review Applicant could cross-examine the witnesses relating to the documents.

6. In view of that particular reason, except Document No.4, which is the photograph of the divorced husband of the 1<sup>st</sup> defendant, other documents were permitted to be taken on file. Questioning that particular order, this Review Application had been filed.

7. During discussion in the Court, the issue thereafter surrounded only around the



permissibility to mark a Will, which is the subject matter of T.O.S. No. 13 of 2025, the suit on conversion of O.P. No. 121 of 2024 owing to caveat being filed and which Will has not been probated by any Court. The evidentiary value of the said Will is questionable.

Even if it is marked, it would not advance the case of the 2<sup>nd</sup>– 4<sup>th</sup> defendants. Till the Will gets a stamp of approval by a Court of Law, it is only a document and it cannot be admitted in the course of evidence.

8. Therefore, the order of the learned Single Judge is interfered to the limited extent of his observations regarding the Will dated 09.07.1988 which are set aside and it is held that the said document cannot be produced as evidence during the course of the trial and the suit.

9. I am informed that in T.O.S. No. 13 of 2025, an Original Side Appeal is pending challenging an order permitting impleading of further defendants. The Review Application is allowed to that limited extent. The documents which had been permitted by the learned Single Judge may be taken on record, subject of course to the original documents being produced and subject to admissibility, proof and relevancy. No costs.

10. In view of this order passed in the Review Application, Application No.4058 of 2024 stands closed. No costs.

**19.08.2025**

*Maya*



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C.V.KARTHIKI



*Maya*

Rev.Aplo.No.12 of 2025  
and  
A.No. 4058 of 2025

***Dated : 19.08.2025***