



WEB COPY

CRP No. 3679 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 3679 of 2025

AND

CMP NO. 19747 OF 2025

1. VIJAYALAKSHMI

D/o. Sadayappa Mudalir, No.80,
Murugan Koil Street, Karanapattu,
Chellancherry, Cuddalore - 110.

2. SIVAMANI

S/o Sadayappa Mudaliar, Madukkarai
Main Road, Thanikuppam,
Chellancherry, Pondicherry - 106.

Petitioner(s)

Vs

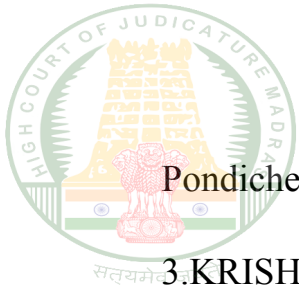
Kathayee (Died)

1. RAMASAMY

S/o. Sadayappa Mudaliar, No.25,
Madukkarai Main Road, Thanikuppam,
Chellancherry, Pondicherry - 106.
Kathayee (Died)

2.K. Muthammal @ Muthulatchoumy

D/o. Sadayappa Mudaliar, plot NO.17,
Vennisamy Nagar, First Main Road,
G.N.Palayam, Arumbarthapuram,



Pondicherry.

3.KRISHNASAMY

WEB S/o. Sadayappa Mudaliar, Madukkarai
Main Road, Thanikuppam,
Chellancherry, Pondicherry - 106.

4.SUMATHI

D/o. sadayappa Mudaliar, No.74, Main
Road, Theeran Sathiyamurthy Nagar,
O.K.Palayam, Mudaliarpot Post,
Pondicherry - 004.

5.K. Paneerselvam

S/o. Kesavan, Electricity Department
Main Office, Pondicherry - 6.

Respondent(s)

PRAYER

This civil revision petition is filed under Article 227 of the Constitution of India, praying to set aside the docket order dated 08.04.2025 in OS No.183 of 2018 on the file of the II Additional District Judge (FAC), Pondicherry.

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For Petitioner(s): K.S. Karthik Raja

For Respondent(s): M/s.T.M. Naveen

ORDER

Heard the learned counsel for both parties.

2.The plaintiff, aggrieved by the docket order in **OS.NO.183/2018** dated



08.04.2025, has come out by way of this revision petition. In the course of the

cross-examination of PW.1, an unregistered partition deed was put to PW.1. The

trial Court finding that PW.1 was not a signatory to the said unregistered

partition deed has refused to permit the document to be marked. However, the

trial court has given liberty to the defendants to mark the unregistered document

during their evidence. Aggrieved by this liberty, the present revision has been

filed.

3.Mr Karthikraja, learned counsel for the petitioner, would state that by

giving such liberty, the valuable right of the plaintiff has been taken away even

to object to the admissibility of the said unregistered partition deed. He would

therefore seek necessary modification of the said order.

4. Per contra, Mr P.M. Naveen, learned counsel for the respondent, would

take me through the deposition of PW.1 where PW. 1 admits the factum of the

said partition deed having been executed, though she was not a signatory to the

same. However, PW.1 has also stated that the document is unregistered.

5.In the light of the above, blanket liberty ought not to have been given

by the learned trial Judge. It is open to the defendants to attempt to mark the



said unregistered partition deed when they enter the witness box, and at that stage the court shall take into account the admissibility of the said document and the purposes for which it is proposed to be marked. If it is found that it is only for collateral purposes, then the document may be permitted. With this clarification, the civil revision petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

13-08-2025

jrs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The II Additional District Judge (FAC), Pondicherry.



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P.B.BALAJI J.

jrs

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