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CRP.No.4602 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

CRP.No.4602 of 2025

and

CMP.No.23296 of 2025

Mr.P.N.Munusamy

... Petitioner / Petitioner /
2nd Defendant

Versus

1. Mrs.M.Meenakshi

... 1st Respondent / 1st Respondent /
Plaintiff

2. Mrs. Govindammal

3. Mrs.Usharani

4. Mrs.P.Shanthi

... Respondents 2 to 4 / Respondents /
Defendants 1, 3 & 4

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India, to allow the Revision Petition by setting aside the "Dismissal of Interlocutory Application" I.A.No.6 of 2025, filed under Order XVI Rules 1 & 2 R/w Section 151 of CPC for summoning the Special Tahsildar, Ambattur Taluk, to appear, produce and depose with the records related to the marked Ex.B31 issued in favor of the 3rd defendant / Mrs.Usharani in O.S.No.106 of 2018 on the file of the I Additional District and Sessions Court at Tiruvallur, dated 09.07.2025.



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For Petitioner

: Mr.R.Nandakumar

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ORDER

Unsuccessful second defendant has preferred the present Civil Revision Petition.

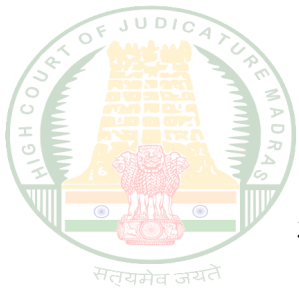
2. The Suit is filed in O.S.No.106 of 2018 on the file of the I Additional District and Sessions Court, Tiruvallur seeking for declaration and permanent injunction. The suit is posted for further evidence, at this stage, the revision petitioner / second defendant has filed an application in I.A.No.6 of 2025 under Order 16 Rule 1 & 2 of CPC to Summon the Special Tahsildar, Ambattur Taluk to appear, produce and depose with the records relating to the document marked Ex.B31 issued in favour of the third defendant namely Usharani. Upon hearing either side, the Court below *vide* order dated 09.07.2025, dismissed the application on the ground that the document in Ex.B31 has already been admitted in evidence and therefore, there is no necessity to examine the Tahsildar concerned to depose regarding the veracity of the document. Aggrieved over the same, the revision petitioner has preferred the present Civil Revision Petition.



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3. The learned counsel appearing for the revision petitioner would submit that it is necessary to elucidate the veracity of Ex.B31 document by summoning the Tahsildar, Amabttur Taluk, to depose with records related to Ex.B1, issued in favour of the 3rd defendant. Further, the learned counsel for the revision petitioner submits that if the witness is not examined, it would cause serious prejudice to the revision petitioner / second defendant. Learned counsel further submit that Ex.B31 is the xerox copy of the patta came to be marked, while examining the witness. Therefore, it is necessary to summon the Special Tahsildar, Ambattur to depose the veracity of the said document.

4. It is seen from the records that the case is posted for further evidence on the side of the defendants. The Court below found that Ex.B31 patta stands in favour of the third defendant already came to be marked and there is no need to summon the Tahsildar in this regard. Considering the nature of the *lis* pending between the parties and the document in Ex.P31 has already been marked as document it is not necessary to summon the Special Tahsildar, Ambattur Taluk to depose with records relating Ex.B31.



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5. In view of the above, there is no reason to interfere with the order passed in I.A.No.6 of 2025 in O.S.No.106 of 2018 dated 09.07.2025 on the file of the I Additional District and Sessions Court, Tiruvallur. However, the revision petitioner / second defendant is at liberty to make legal submissions with regard to Ex.B31 at the time of arguments.

6. With the above observation, this Civil Revision Petition is disposed of. Consequently, connected civil miscellaneous petition is closed. No costs.

25.09.2025

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Index : Yes/No

Speaking order : Yes/No

Neutral Case Citation : Yes/No

To

The I Additional District and Sessions Court, Tiruvallur.

M. JOTHIRAMAN, J.



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