



CRP.No.5467 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

CRP.No.5467 of 2025 and
CMP.No.27545 of 2025

1.D.Ramamoorthy
2. R.Gomathi

... Petitioners

Vs.

1. Arulmigu Agatheeswara Swamy Thirukkoil
Rep. By its Executive Officer and Fit Person
Having office at Villivakkam
Chennai-600 049.

2. M.R.Arumugam
3.N.Nagarajan
4. M.S.Ravichandran
5. The Commissioner
Corporation of Chennai
Rippon Building, Park Town
Chennai-600 003.

...Respondents

PRAYER :Civil Revision Petition filed Article 227 of Constitution of India,
praying, to set aside the Fair and decretal Order dated 15.10.2025 made in
I.A.No.9 of 2025 in O.S.No. 5363 of 2016 on the file of VII Assistant City
Civil Court, Chennai.



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For Petitioner : M/s. K.Raja

ORDER

The Civil Revision Petition is filed challenging the order passed by the Trial Court dismissing the application filed by the petitioners/defendants 1 and 2 seeking to summon the Tahsildar, Aminjikai Taluk to produce the revenue records.

2. The 1st respondent temple filed a suit seeking permanent injunction restraining the petitioners from putting up any construction in the suit property. The 1st respondent temple also sought for mandatory injunction directing the defendants to remove any illegal construction put up by them in the suit property.

3. The petitioners/defendants 1 and 2 herein filed a written statement and resisted the suit claiming title over the subject property.

4. Now, the instant application has been filed by the petitioners seeking to summon the jurisdictional Tahsildar to produce the revenue records pertains to the subject property. If the petitioners claim right over the property, they can always get the revenue records in their name and produce the same. For that



purpose, the revenue officials need not be summoned.

5. The learned counsel for the petitioners vehemently contended that the suit property is a 'grama naththam' and the jurisdictional Tahsildar shall be summoned so that all the revenue records can be produced before the court.

6. The 1st respondent temple filed a suit claiming that petitioners are tenant under it. It is for the temple to establish the tenancy arrangement and its right over the suit property. If that initial burden is discharged by the 1st respondent, then it is for petitioner to lead contra evidence. The petitioners have got an opportunity to get the revenue records and produce it before the court. When petitioners failed to get revenue documents by following due procedure, I do not think the present application filed by them seeking issuance of summons to revenue Tahsildar to produce revenue records can be entertained. Any party desirous of filing revenue records should get certified copy from the concerned authority and produce it before the court by following the procedure contemplated under the provisions of Rule 76 of Civil Rules of Practice. Hence, I do not find any error in the order passed by the court below. Accordingly, the Civil Revision Petition stands dismissed.



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Consequently, the Connected Miscellaneous petition is closed. No costs.

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Index : Yes / No
Internet : Yes / No
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To

The 1st Additional District Judge, Erode.



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S.SOUNTHAR, J.

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