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CRP No.6137 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-12-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 6137 of 2025 and
CMP No.30134 of 2025**

Charlotte Christiane Eliane Hestin
D/o Pascal Hestin

... Petitioner(s)

Vs.

Bobby Patel, S/o Shanthilal Patel

... Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the impugned order passed by the Principal Judge, Villupuram dated 14.10.2025 in I.A.No.160 of 2024 in GOP No.148 of 2023 and consequently allow the same.

For Petitioner(s): Mr. E.Chandrasekaran

ORDER

The Civil Revision Petition is filed challenging the order passed by the Principal Judge, Villupuram, dismissing the application filed by the petitioner



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seeking direction to the respondent to produce passport and overseas citizen of India (OCI) card of her minor daughter.

2. The petitioner herein filed original petition in GOP No.148 of 2023 under the provisions of Guardian and Wards Act, 1890 seeking her appointment as Guardian of the person of the female minor child Arya Mira Srimoyi Patel born on 31.08.2018. The said G.O.P. was posted for enquiry. The petitioner wanted to mark the passport and OCI card of the minor child on her side to establish her case. However, the said documents are in the custody of the respondent. Therefore, the instant application has been filed by the petitioner seeking direction to the respondent to produce the above said documents. The said application was dismissed by the Trial Court. Aggrieved by the same, the petitioner has come before this court.

3. The learned counsel for the petitioner vehemently contended that the documents sought to be produced by the respondent are very much essential to



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prove the case of the petitioner. Therefore, the Trial Court committed an error in dismissing the application.

4. Even as per the admitted case of the petitioner, the above said two documents are in the custody of the respondent. Therefore, it is always open to the petitioner to issue notice to the respondent to produce the document and if the respondent failed to comply with such notice, the petitioner can mark the notice issued by her to the respondent before the court and advance arguments regarding adverse inference. In view of the same, the prayer sought for by the petitioner seeking direction of the respondent to produce the document cannot be entertained

5. The Trial Court in the impugned order observed that the documents sought to be produced are not essential to prove the case of the petitioner. Whether the documents are essential or not is the matter to be decided at the time of final disposal. At this stage, the petitioner seeks direction to the respondent to produce the document. In view of the remedy available to the



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petitioner as stated above, I do not find any error in the impugned order passed by the Trial Court.

6. Accordingly, this civil revision petition is dismissed with liberty to the petitioner to work out his remedy as stated above. There shall be no order as to costs. Connected miscellaneous petition is closed.

02.12.2025

MST

To

The Principal District Judge, Villupuram.



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S.SOUNTHAR, J.

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