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CRP No. 6442 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-12-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 6442 of 2025 and
CMP.No.31864 of 2025**

R.Brahadeeswaran

Petitioner

Vs

B.Kannan

Respondent

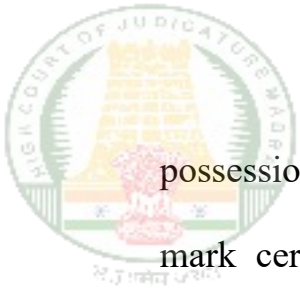
PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the Fair and Decretal order in I.A.634/2025 in O.S.109/2019 dated 23.09.2025 on the file of the Learned District Munsif cum Judicial Magistrate, Vikravandi.

For Petitioner(s): M/S.N.Suresh

ORDER

The civil revision petition is filed challenging the order passed by the Trial Court dismissing the application filed by the petitioner seeking to summon VAO, Vikravandi to examine him as P.W.3 for the purpose of marking revenue documents pertains to the suit property.

2. The petitioner herein filed a suit for declaration of title and recovery of



possession in respect of suit “A” schedule property. Since the petitioner wants to mark certain revenue documents like FMB, chitta, A-register etc., he filed instant application seeking issuance of summons to VAO, Vikravandi for examining him as P.W. 3. The said application was dismissed by the Trial Court mainly on the ground that the petitioner failed to mention the name of VAO in the list of witnesses and he also failed to mention revenue documents in the list of documents. Aggrieved by the said order, the petitioner has come before this Court.

3. The learned counsel for the petitioner vehemently contended that the reasoning given by the trial court that the petitioner failed to mention the documents which are not in his possession may not be correct to dismiss the application.

4. If the petitioner is advised to file revenue documents in support of his case, he has to follow the procedure prescribed under Rule 76 of Civil Rules of Practice and get a certificate from the Court and produce it before the revenue officials. By following the said procedure, the petitioner can get the certified copy from the Revenue Department and mark it before the Court. Without exhausting the procedure contemplated under Civil Rules of Practice, the petitioner is not entitled to call the revenue officials as witnesses for the purpose of marking the revenue documents pertains to the suit property. If these kind of petitions are entertained, unnecessarily revenue officials will be called as witness in most of the civil cases and it will cause lot of inconvenience to the



officials.

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5. Therefore, the Civil Revision Petition is dismissed with liberty to the petitioner to follow the procedure under Rule 76 of Civil Rules of Practice. If any such application is filed under Rule 76 of Civil Rules of Practice, the same shall be considered on its own merits by the trial court without being influenced anything said in this order. No costs. Consequently, the connected miscellaneous petition is closed.

18-12-2025

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
nr

To

The District Munsif cum Judicial Magistrate, Vikravandi.



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S.SOUNTHAR J.
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