



C.R.P(MD)No.320 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.02.2025**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(MD)No.320 of 2025

and

C.M.P(MD)No.1840 of 2025

Seetharaman

... Petitioner/Petitioner/
Plaintiff

Vs.

1.The Tahsildar,
Kovilpatti Taluk,
Thoothukudi District.

2.The District Revenue Officer,
District Collector Office,
Thoothukudi District.

3.The District Collector,
District Collectorate Office,
Thoothukudi District.

... Respondents/ Respondents/
Defendants

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the fair and decreetal order of the learned District Munsif Judge, Kovilpatti in I.A.No.23 of 2024 in

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O.S.No.71 of 2020, dated 19.11.2024 on the file of the learned District Munsif Judge, Kovilpatti.

For Petitioner : Mr.M.Prabu

For Respondents : Mr.S.P.Maharajan
Special Government Pleader

ORDER

The plaintiff in O.S.No.71 of 2020 on the file of District Munsif, Kovilpatti is the revision petitioner herein.

2. The above said suit was filed for the relief of declaration, permanent injunction and mandatory injunction. Pending suit, the plaintiff had filed I.A.No.23 of 2024 to mark the xerox copy of an unregistered, unstamped partition deed. The said application was rejected by the trial Court on the ground that even for collateral purposes, this document cannot be considered. Challenging the same, this revision petition has been filed.



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3. A perusal of the partition deed, dated 22.11.1974 reveals that partition has been effected under the said document and it is not a record of the past events. Therefore, it is a compulsorily registerable document. Unless the document is impounded and stamp duty is paid, the said document cannot be looked into even for collateral purposes. For impounding a document, original has to be produced before the Court. In the present case, only a xerox copy of the said partition deed has been produced. In such circumstances, it would not be possible for the Court to impound the document for the purposes of collecting the stamp duty. Therefore, the trial Court has rightly rejected the said application.

4. In view of the above said deliberations, there are no merits in the revision petition. However, if the plaintiff produces the original document before the Court, it is for the Court to impound the same and after collecting stamp duty, it may be considered for collateral purposes.



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5. With the said observations, this Civil Revision Petition stands disposed of. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

07.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

- 1.The District Munsif Court,
Kovilpatti.
- 2.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR ,J.

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Order made in
C.R.P(MD)No.320 of 2025

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