



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)No.578 of 2023

M.Gunaseelan

...Petitioner

Vs.

R.Vijayalakshmi

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records pertaining to the common fair and decreetal order dated 04.01.2023 made in I.A.No.1 of 2022 in O.S.No.35 of 2015 on the file of the learned Principal District Judge, Karur and set aside the same insofar as refusing to receive Documents Nos.1, 2, 5, 6 and 7.

For Petitioner : Mr.P.Samuel Gunasingh

For Respondent : Mr.K.Prabhakar

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ORDER

This petition has been filed seeking orders to set aside the fair and decreetal order dated 04.01.2023 made in I.A.No.1 of 2022 in O.S.No.35 of 2015 on the file of the learned Principal District Judge, Karur and set aside the same insofar as refusing to receive Documents Nos.1, 2, 5, 6 and 7.

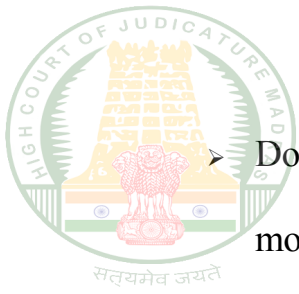


2. The learned counsel appearing for the petitioner would submit that the petitioner filed a suit in O.S.No.35 of 2015 for recovery of money against the respondent. During the course of the trial, the petitioner filed I.A.No.1 of 2022 seeking permission to mark seven documents, viz., Document Nos.1 to 7. However, the said Interlocutory Application was partly allowed by the trial Court by permitting the marking of Document Nos.3 and 4 alone, while rejecting the remaining documents.

2.(i). He would further submit that this Court may refuse to interfere with the rejection of Document Nos.1 and 2, which pertain to the cheque and promissory note allegedly issued by the respondent's husband. However, Document Nos.5, 6 and 7 are beneficial documents pertaining to the respondent/defendant, and therefore, they may be received as evidence by the trial Court.

3. The learned counsel appearing for the respondent has no serious objection to the marking of Document Nos.5 to 7.

4. In view of the above, the trial Court is directed to accept in evidence the following documents in addition to the document Nos.3 and 4 already accepted by the trial Court dated 04.01.2023 made in I.A.No.1 of 2022 in O.S.No.35 of 2015:



- Document No.5: Gift Settlement Deed executed by the respondent's mother in favour of the respondent (Certified Copy - Document No.5984 of 2008, Singanallur S.R.O., dated 30.04.2018);

- Document No.6: Gift Settlement Deed executed by the respondent in favour of Pappampatty Panchayat (Certified Copy - Document No.5481 of 2018, Singanallur S.R.O., dated 05.06.2018); and
- Document No.7: General Power Deed executed by the respondent in favour of one Praveena (Certified Copy - Document No.10277 of 2019, Singanallur S.R.O., dated 06.09.2019),
- and proceed to decide the matter in accordance with law.

5. The trial Court is further directed to dispose of the suit in O.S.No.35 of 2015 within a period of six months from the date of receipt of a copy of this order.

6. Accordingly, the Civil Revision Petition stands disposed of. No costs.

16.06.2025

Internet: Yes/No

Index: Yes/No

TSG

To

1.The Principal District Judge, Karur.

2.The Section Officer,

VR Section,

Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI, J.

TSG

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