

CRP(MD). No.945 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 18/06/2025

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**CRP (MD). No.945 of 2025
and CMP(MD) No.5046 of 2025**

1. A.Chitrakannu,

2. S.Chitraputhiran,

3. A.Manoharen

... Petitioners

Vs

1. Congress Pon Vizha Committee,
Through its President,
No.8,Rajapalayam Main Road,
Sankarankovil Kaspas,
Tenkasi District.

2. K.Sankaranarayanan

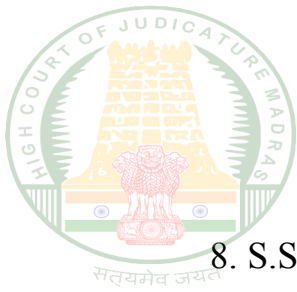
3. M.Sankaran

4. V.Pitchai

5. K.Mariappan @ Mahendran

6. S.Paramasivan

7. P.Nasurudin



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8. S.Sakthivel

... Respondents

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PRAYER :-Civil Revision Petition filed under Article 227 of The Constitution of India against the Fair and Decretal Order dated 06-12-2024 passed in IA No.4 of 2022 in OS No.218 of 2019 on the file of the Principal District Munsif Court, Sankarankovil.

For Petitioners : Ms.S.Mahalakshmi

For Respondents : Mr.S.Sukumar for R1 to R8

ORDER

This Civil Revision Petition is filed challenging the fair and decretal order dated 06-12-2024 passed in IA No.4 of 2022 in OS No. 218 of 2019 on the file of the Principal District Munsif Court, Sankarankovil.

2. The petitioners are the defendants in O.S.No.218 of 2019. The respondents/plaintiffs filed a suit for declaration and injunction to declare that the respondents 2 to 8 are legally elected Executive committee members and the plaintiffs 2,4 and 6 are the President, Secretary and Treasurer of the first plaintiff Committee and for a consequential prayer of permanent injunction restraining the petitioners/defendants from acting against the interest of the welfare of the first plaintiff committee



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and the suit property in any manner. During trial, the respondents/plaintiffs filed IA No.4/2022 for production of the minutes of the general body meeting dated 03.06.2018 and it was also alleged that the signature of the President, Secretary and Treasurer was forged in the minutes and the same was communicated to the District Registrar and in order to prove the signatures, the minutes book is just and necessary. The said Interlocutory Application was allowed. Challenging the same, the petitioners are before this Court.

3. The learned counsel for the petitioners would submit that though the petitioners have filed a written statement before the trial Court and averred in Paragraph No.5 as if they were elected as President, Secretary and Treasurer during the general body meeting held on 03.06.2018. However, the minutes of the general body meeting was available with the respondents and forcing the petitioners to produce the same is not sustainable. She would however submit that if any copy is available with the respondents that can be marked, for which, the petitioners have no objection for marking the same.



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4. The learned counsel for the respondents/plaintiffs would submit that the petitioners/defendants themselves admitted in Paragraph 5 of the written statement filed in O.S.No.218/2019 that they were alleged elected as President, Secretary and Treasurer during the general body meeting conducted on 03.06.2018. When such a submission was made in the written statement, refusing to produce the minutes of the special general body dated 03.06.2018 is wholly unsustainable.

5. I have considered the rival submissions and perused the materials available on record.

6. The fact that the petitioners were elected as President, Secretary and Treasurer of the first respondent/plaintiff and the plaintiffs filed suit for declaration and injunction restraining the petitioners/defendants from acting against the interest of the welfare of the first plaintiff committee is not disputed. However, all that the respondents/defendants want is the minutes of the general body meeting alleged to be held on 03.06.2018 by the alleged President, Secretary and Treasurer of the Committee to be produced by filing IA No.4 of 2022 and that the trial Court also directed



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the petitioners to produce the minutes of the general body meeting dated 03.06.2018. When the same was admitted by them in the written statement and later refused to produce the same is impermissible. Accordingly, no interference is warranted to the order of the trial Court and the civil revision petition is dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

18.06.2025

NCC : Yes/No
Index : Yes/No

RR
TO

1.The Principal District Munsif Court, Sankarankovil.

2.VR Section
Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J

RR

**ORDER
IN
CRP(MD) (NPD) No.945 of 2025**

Date : 18/06/2025