



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.06.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)Nos.941 & 943 of 2021

and

C.M.P.(MD)No.5312 of 2021

A.Raja

...Petitioner in both C.R.Ps.

Vs.

1.K.Raju
2.R.Rakku (Died)
3.Indira Gandhi

...Respondents in both C.R.Ps.

[R3 is brought on record as legal heir of the deceased 2nd respondent vide common order dated 18.12.2024 made in C.M.P.(MD)No.7888 and 7890 of 2021 in C.R.P.(MD)Nos.943 & 941 of 2021]

COMMON PRAYER: Civil Revision Petitions are filed under Article 227 of the Constitution of India, praying to set aside the decreetal order and fair orders passed in I.A.Nos.2 & 1 of 2020 in O.S.No.108/2019 dated 05.02.2021 & 29.09.2020, respectively on the file of the learned District Munsif cum Judicial Magistrate Court, Thiruppuvanam, by allowing these Revision Petitions.

For Petitioner : Mr.V.Nagendran

For Respondents 1 & 3 : Mr.VR.Shanmuganathan



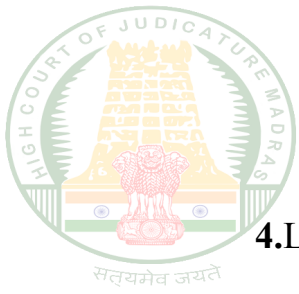
ORDER

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These petitions have been filed seeking to quash the orders passed in I.A.Nos.2 & 1 of 2020 in O.S.No.108/2019 dated 05.02.2021 & 29.09.2020, respectively, on the file of the learned District Munsif cum Judicial Magistrate Court, Thiruppuvanam.

2.The petitioner is the plaintiff and he filed a suit for declaration and for recovery of possession as against the respondents herein. During the trial, the respondents marked an unregistered document as Ex.B5 and the same was objected by the petitioner. The respondents filed I.A.No.1 of 2020, to receive the document and the said petition was allowed without any discussion. Objecting the marking of Ex.B5 document, the petitioner filed I.A.No.2 of 2020. However, without recording the petitioner's objection, the said document was marked. Challenging the orders in both the I.As., the present Civil Revision Petitions have been filed.

3.Learned Counsel for the petitioner would submit that the trial Court may be directed to mark the said document Ex.B5, with an endorsement that it is being objected by the petitioner and also seeks for liberty to the petitioner to canvass all points before the trial Court.



4.Learned Counsel for the respondents would submit that the respondents are the defendants and they are entitled to mark their own documents. However, the genuineness and veracity of the said document should be tested by the trial Court, in which the petitioner has no say.

5.Considering the above facts, this Court directs the trial Court to mark the said document as Ex.B5, with the objection of the petitioner and the petitioner is granted liberty to canvass all points before the trial Court at the time of trial.

6.With the above directions, these Civil Revision Petitions stand dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

11.06.2025

Internet:Yes/No

Index:Yes/No

MR



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C.R.P.(MD)Nos.941 & 943 of 2



To

- 1.The District Munsif cum Judicial Magistrate,
Thiruppuvanam.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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C.R.P.(MD)Nos.941 & 943 of 2



M.DHANDAPANI, J.

MR

C.R.P.(MD)Nos.941 & 943 of 2021

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