



C.R.P(MD)Nos.541 & 542 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(MD)Nos.541 & 542 of 2025
and
C.M.P(MD)Nos.2934 & 2938 of 2025

C.R.P(MD)No.541 of 2025:

1.S.Renugadevi

2.S.Kiruthika

3.S.Arithy

4.S.Sankar Ganesh

... Petitioners/Petitioners/
Claimants/3rd Party

Vs.

1.S.Latha

... Respondent/1st Respondent/
1st Respondent/Petitioner

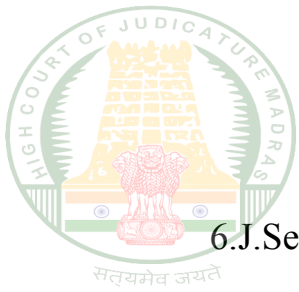
2.K.Nagarajan

3.V.Ramanabasker

4.P.Murugesan

5.J.Tamilarasi

1/8



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6.J.Selvi

7.J.Anitha

8.J.Surya (Minor)

9.J.Harish (Minor)

(R8 & R9 represented by their mother R7)

... Respondents/Respondents 2-9/

Respondents 2-9/Respondents 2-10

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the order, dated 16.06.2023 passed in E.A.No.3 of 2022 in E.A.No.39 of 2017 in E.P.No.48 of 2010 on the file of the Sub Court, Theni.

C.R.P(MD)No.542 of 2025:

1.S.Renugadevi

2.S.Kiruthika

3.S.Arithy

4.S.Sankar Ganesh

... Petitioners/Petitioners/
Claimants/3rd Party

Vs.

1.S.Latha

... Respondent/1st Respondent/
1st Respondent/Petitioner

2.K.Nagarajan

2/8



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3.V.Ramanabasker

WEB COPY Jayamani (Died)

4.P.Murugesan

5.J.Tamilarasi

6.J.Selvi

7.J.Anitha

8.J.Surya (Minor)

9.J.Harish (Minor)

(R8 & R9 represented by their mother R7)

... Respondents/Respondents 2-9/

Respondents 2-9/Respondents 2-10

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the order, dated 16.06.2023 passed in E.A.No.4 of 2022 in E.A.No.2 of 2022 in E.A.No.39 of 2017 in E.P.No. 48 of 2010 on the file of the Sub Court, Theni.

For Petitioners : Mr.R.Saravanan
(In both cases)

For R1 : Mr.H.Lakshmi Shankar
(In both cases)



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ORDER

Third parties to O.S.No.22 of 2005 on the file of Sub Court, Theni are the revision petitioners herein.

2. The said suit was filed by the 1st respondent herein for the relief of declaration of title, permanent injunction and recovery of possession. The suit was decreed as prayed for. The decree holder had filed E.P.No. 48 of 2010 seeking recovery of possession. Pending the said application, the present revision petitioners has filed E.A.No.39 of 2017 making a claim over the property.

3. Pending claim petition, the revision petitioners herein has filed E.A.No.2 of 2022 to examine the Village Administrative Officer and Municipal Commissioner for the purposes of production of certain records which are essential to establish their title. E.A.No.2 of 2022 was dismissed for default. Thereafter, the revision petitioners herein had filed E.A.No.3 of 2022 for the same relief. When the same was pointed out by



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the decree holder, the third party had chosen to file E.A.No.4 of 2022 to restore E.A.No.2 of 2022.

4. The trial Court has chosen to dismiss E.A.No.3 of 2022 as well as E.A.No.4 of 2022 on the ground that in case if revenue records are required to prove the case, the certified copy of the same could be produced before the Court and there is no necessity to examine Village Administrative Officer and Municipal Commissioner. These two orders are under challenge in the present revision petitions.

5. According to the learned counsel appearing for the revision petitioners, the examination of Village Administrative Officer and Municipal Commissioner are necessary for the purposes of proving certain transactions before the Court and unless the claim petitioners are permitted to examine them on their behalf, it would cause great prejudice.

6. Per contra, the learned counsel for the 1st respondent/ decree holder had contended that the trial Court has rightly found that any



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revenue records could be produced by way of certified copies and there is no necessity to examine the Government officials.

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7. Heard the learned counsel on either side and perused the material records.

8. Pending claim petition, the revision petitioners had filed E.A.No.3 of 2022 to examine Village Administrative Officer and Municipal Commissioner on the ground that they would have some personal knowledge about the transaction that has taken place which would establish their title to the suit schedule property. In case, if the revision petitioners wish to rely upon any revenue records or orders passed by the revenue officials, a certified copy of the same could be produced before the trial Court by the revision petitioners. It is not necessary to examine these officials. Therefore, the trial Court has rightly rejected these two applications. This Court does not find any merits in the revision petitions.



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9. Hence, both the Civil Revision Petitions stand dismissed. No costs. Consequently, connected Civil Miscellaneous Petitions are closed.

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

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To

- 1.The Sub Court,
Theni.
- 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)Nos.541 & 542 of 2025

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