



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.06.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.1577 of 2025

and

C.M.P.(MD)No.8138 of 2025

M.Savariammal (Died)

- 1.P.Santhanamary
- 2.P.Sam Pushparaj
- 3.Y.Alice Infanta
- 4.Nirmala
- 5.R.Arockiaraj

...Petitioners

Vs.

S.Anthoniammal (Died)

- 1.P.Vanitha
- 2.P.Ramya Rosaline
- 3.Wilfred Xavier Javid
- 4.P.Arun Silvesta
- 5.Xavier Alex

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the fair and decreetal order made in I.A.No.08 of 2025 in O.S.No.400 of 2014 on the file of the Additional District Munsif, Lalgudi dated 12.03.2025, by allowing this revision.



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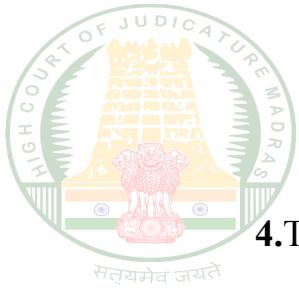
For Petitioner : Mr.R.Sundar

ORDER

This petition has been filed seeking to quash the order passed in I.A.No. 08 of 2025 in O.S.No.400 of 2014 on the file of the Additional District Munsif, Lalgudi dated 12.03.2025.

2.Since no adverse orders are going to be passed against the respondents, notice to the respondents is dispensed with.

3.Admittedly, the facts in the present case are not in dispute. The respondents herein have filed a suit for declaration in O.S.No.400 of 2014, seeking to declare the plaintiffs as the owners of the suit schedule property as shown in Plan No.4 and consequently, for permanent injunction, restraining the defendants from in any manner interfering with their possession and enjoyment of the property. The petitioners herein are the defendants in O.S.No.400 of 2014, before the trial Court. When the suit was in progress, the petitioners filed an interlocutory application in I.A.N.08 of 2025, seeking to examine the Village Administrative Officer of Jengamarajapuram Village, in order to prove the mistake in the survey number and the measurements given in the document produced by the plaintiffs. The trial Court dismissed the said application on 12.03.2025. Challenging the same, the present Civil Revision Petition is filed.



4.The fact remains that when a suit for declaration is filed by a person, it is his bounden duty to prove his title over the property and the Village Administrative Officer is not the competent person to speak about the title owned by a plaintiff or the title owned by a defendant. All these aspects have to be examined independently by the trial Court through proper pleadings and evidences. Hence, this Court is of the view that the trial Court has rightly rejected the application of the petitioners herein.

5.Accordingly, this Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

03.06.2025

Internet:Yes/No

Index:Yes/No

MR



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To

- 1.The Additional District Munsif,
Lalgudi.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

MR

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