



C.R.P.(PD)(MD)Nos.1530 and 1531 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 25.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)Nos.1530 and 1531 of 2025
and
C.M.P.(MD)Nos.7759 and 7758 of 2025

Periyathal

... Petitioner in both petitions

Vs.

1.Mariyappan
2.Murugathal
3.Chinnasamy

... Respondents in both petitions

COMMON PRAYER: Civil Revision Petitions - filed under Article 227 of Constitution of India, to set aside the fair and decreetal orders passed in I.A.Nos.1 and 2 of 2025 in O.S.No.439 of 2018 on the file of the Principal Sub Court, Palani dated 13.03.2025.

In both petitions:

For Petitioner : Mr.T.Leninkumar
For R1 to R3 : Mr.D.Venkatesh



C.R.P.(PD)(MD)Nos.1530 and 1531 of 2025

COMMON ORDER

WEB COPY

The present Civil Revision Petitions are filed challenging the fair and decreetal orders passed in I.A.Nos.1 and 2 of 2025 in O.S.No.439 of 2018 on the file of the Principal Sub Court, Palani dated 13.03.2025.

2.The petitioner in both petitions is the plaintiff in the suit in O.S.No. 439 of 2018 on the file of the Principal Sub Court, Palani for partition as against her parents and brothers. When the said suit is pending, the petitioner filed I.A.Nos.1 and 2 of 2025 for reopening the plaintiff side evidence and for summoning the Village Administrative Officer produce the revenue documents pertaining to the suit property to establish that the property is the ancestral property. However, the said applications were dismissed. Challenging the same, the present Civil Revision Petition is filed.

3.The learned counsel for the petitioner in both petitions submits that the petitioner is the female legal heir of her family. However, the share of the ancestral property was not given to the petitioner. Thereby she filed a suit for partition. In order to prove that the property is the ancestral property of the



C.R.P.(PD)(MD)Nos.1530 and 1531 of 2025

WEB COPY

petitioner family, the petitioner has to mark necessary documents through the village Administrative Officer. The trial Court without considering the said aspect has rejected the applications filed by the petitioner. Hence, he prayed for appropriate orders.

4.The learned counsel for the respondents 1 to 3 in both cases would submit that the petitioner has to establish her case that the suit properties are ancestral properties before the trial Court in the partition suit. For that purpose, she has to produce the original title deeds or other documents stood in favour of her family. However, she is trying to prove her title by way of revenue records. The trial Court has rightly considered the said aspect and dismissed the petitioner. Hence, the said order need not be interfered.

5.Heard the learned counsel appearing on either side and perused the materials placed on record.

6.The petitioner filed a suit for partition as against her parents and siblings. The petitioner claims that the property in question is the ancestral property. Whereas the respondents claim that it is a self acquired property.



C.R.P.(PD)(MD)Nos.1530 and 1531 of 2025

WEB COPY

In order to prove as to whether the suit property is the ancestral property or self acquired property, the revenue records will not be of any use and the Village Administrative Officer is not the competent person to establish that the suit property is the ancestral property. Only the title documents will prove the fact that whether the property is ancestral property or self acquired property. Instead of producing such documents, the petitioner, by filing applications for reopening the plaintiff side evidence and marking of documents through Village Administrative Office, is attempting to fill lacunae in her evidence and the same is not sustainable.

7. Accordingly, these Civil Revision Petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

25.06.2025

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



C.R.P.(PD)(MD)Nos.1530 and 1531 of 2025

WEB COPY

To

- 1.The Principal Sub Court, Palani
2. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



C.R.P.(PD)(MD)Nos.1530 and 1531 of 2025

M.DHANDAPANI,J.

ta

C.R.P.(PD)(MD)Nos.1530 and 1531 of 2025

25.06.2025