



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)No.1916 of 2025
and C.M.P.(MD).No.10833 of 2025

Thirupparankundram Jannathul Birthose,
Muslim Podhu Jamath and Trust,
Represented by its Secretary and Managing Trustee,
S.Kamardheen

...Petitioner

Vs.

1.Syed Sulthan Batcha

2.Nagoor Kani

3.Ibrahimsha

4.Muthumohammed

5.Nagoor Meeran

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the fair and decreetal order dated 07.01.2025 made in I.A.No. 2 of 2024 in I.A.No.3 of 2024 in O.S.No.291 of 2018 on the file of the learned Additional District Munsif, Thirumangalam, Madurai District and allow the above Civil Revision Petition.

For Petitioner : Mr.R.Ganesan

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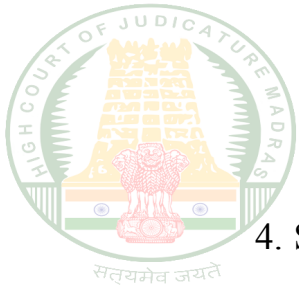
ORDER

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This Civil Revision Petition has been filed seeking orders to set aside the fair and decreetal order dated 07.01.2025 made in I.A.No.2 of 2024 in I.A.No.3 of 2024 in O.S.No.291 of 2018 on the file of the learned Additional District Munsif, Thirumangalam, Madurai District.

2. The petitioner has filed a suit in O.S.No.291 of 2018 before the learned Additional District Munsif, Thirumangalam, Madurai District, against the respondents seeking the relief of permanent injunction. In the said suit, the petitioner filed an interlocutory application in I.A.No.2 of 2024 seeking amendment to describe the petitioner as the plaintiff. However, the trial Court dismissed the said petition. Subsequently, the petitioner filed another interlocutory application in I.A.No.3 of 2024 praying to receive three documents on behalf of the petitioner's Trust. The trial Court permitted the production of two documents, but refused to receive the first document, namely the xerox copy of the resolution dated 03.03.2024 passed by the Trust members appointing the petitioner as the Managing Trustee, on the ground that the original document was not filed along with it.

3. The learned counsel for the petitioner submitted that the resolution deed, even though a xerox copy, could be marked at the time of trial, and the rejection at the interlocutory stage was unwarranted.



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

5. Upon considering the facts and circumstances of the case, this Court is of the view that the xerox copy of the resolution deed cannot be permitted to be marked at this stage. However, liberty is granted to the petitioner to produce the original resolution document at the time of trial, in the manner known to law.

6. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed

16.07.2025

Internet: Yes/No

Index: Yes/No

TSG

To

1. The Additional District Munsif, Thirumangalam, Madurai District.

2. The Section Officer,

VR Section,

Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI, J.

TSG

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