



CRP(MD). No.1969 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 21/07/2025

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**CRP (MD). No.1969 of 2025
and CMP(MD) No.11298 of 2025**

Panneerselvam

... Petitioner

Vs

Balasubramanian

... Respondent

PRAYER :- Civil Revision Petition filed under Article 227 of The Constitution of India to pass an order to allow the revision petition and set aside the fair and decreetal order passed by the IV Additional District Court, Madurai in I.A.No.1/2025 in O.S.No.415/2022 dated 05.06.2025.

For Petitioner : Mr.R.Ramasamy

ORDER

The Civil Revision Petition is filed against the fair and decreetal order passed by the IV Additional District Court, Madurai in I.A.No. 1/2025 in O.S.No.415/2022 dated 05.06.2025.

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



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3. The petitioner is the defendant in OS No.415/2022 and the plaintiff/respondent instituted the suit for recovery of money of Rs.50 lakhs from the petitioner/defendant. Pending suit, the petitioner/defendant filed an interlocutory application under Order XI Rule 14 read with Section 151 of the Civil Procedure Code for production of the pan card and IT records of the respondent/plaintiff. The said application came to be dismissed, against which, the petitioner is before this Court with this civil revision petition.

4. The learned counsel for the petitioner would submit that the respondent/plaintiff filed the suit claiming cash transactions and the same was not reflected in the subsequent income tax returns filed and hence, the petitioner sought for those documents from the respondent by filing the interlocutory application, which was dismissed by the trial Court. The learned counsel would contend that in order to prove that the respondent/plaintiff had made a false claim, it is just and necessary to call for the pan card and IT returns and the trial Court dismissed the same, which is not sustainable and hence, prays for interference.



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5. I have considered perused the materials available on record including the orders passed by the trial Court.

6. A perusal of the order of the trial Court reveals that the order has been passed on the sole ground that there are no pleadings that the transactions between them is reflected in the income tax returns. When there are no pleadings in the plaint and when the transactions is not reflected in the income tax returns, seeking to produce the same by filing an interlocutory application is not sustainable. The respondent/plaintiff never claim recovery of money on the basis of the income tax returns and forcing him to produce the same is unwarranted and no useful purpose would be served by summoning those documents. Accordingly, the Civil Revision Petition is dismissed as no interference is warranted to the order of the trial Court. No costs. Consequently connected Miscellaneous Petition is closed.

21.07.2025

NCC : Yes/No
Index : Yes/No
RR



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1.The IV Additional District Court, Madurai

2.VR Section

Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J

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**ORDER
IN
CRP(MD) (NPD) No.1969 of 2025**

Date : 21/07/2025