



CRP(MD). No.3676 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 08.12.2025

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THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRP(MD). No.3676 of 2025

and

CMP(MD) No.19454 of 2025

Selvaraj

... Petitioner

Vs

Mayilathal

... Respondent

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the impugned Fair order and executable order dated 24.10.2025 made in IA No.7/2025 in OS No.542/2019 pending on the file of the learned Additional Sub Court, Palani, Dindigul District.

For Petitioner : Mr.K.Anbumanikandan Tamil Sooriyan

ORDER

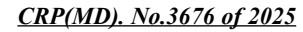
This Civil Revision Petition has been filed seeking to set aside the fair and decreetal order dated 24.10.2025 made in I.A.No.7 of 2025 in O.S.No.542 of 2019 on the file of the Additional Sub Court, Palani, Dindigul District.



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2.The respondent/plaintiff has filed a suit in O.S.No.542 of 2019 against the petitioner/defendant before the Additional Sub Court, Palani, Dindigul District, seeking partition and other reliefs. Pending the suit, the petitioner/defendant filed an application in I.A.No.7 of 2025 under Order VIII Rule 1(3) and Section 151 C.P.C., to mark the document on his side. The said application was dismissed on 24.10.2025. Challenging the same, the present Civil Revision Petition has been filed.

3.The learned counsel for the petitioner reiterating all the contentions set out in the memorandum of grounds would submit that an mortgage agreement was entered into between the petitioner and the respondent for receipt of Rs.10,00,000/- by the respondent. As the respondent has made objection to mark the aforesaid mortgage agreement before the trial Court, since the same is an unregistered one, the above IA has been filed. The said IA has been dismissed by the trial Court, without considering the facts and circumstances of the case properly, vide order dated 24.10.2025. Therefore, the learned counsel for the petitioner called upon this Court to set aside the impugned order and allow the Civil Revision Petition as prayed for.



5. Heard the learned counsel for the petitioner.

7.This Court in several judgments had held that the document in question is being an unstamped and unregistered, the same cannot be



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looked into for any purpose and the learned trial Judge has properly considered Section 17 of the Registration Act and the learned Judge has rightly held that the said document is compulsorily registrable.

8.In these circumstances, there is no infirmity or irregularity warranting interference by this Court in the order of the learned trial Judge, dated 24.10.2025. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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

08.12.2025

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To

The Subordinate Judge, Palani, Dindigul District.



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N.SENTHILKUMAR, J.

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