



*C.R.P(MD)No.286 of 2025*

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.02.2025**

CORAM

**THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

**C.R.P(MD)No.286 of 2025**

**and**

**C.M.P(MD)No.1677 of 2025**

Sumathi

... Petitioners/Petitioner/  
4<sup>th</sup> Defendant

Vs.

1.Manivannan

... Respondent/1<sup>st</sup> Respondent/  
Plaintiff

2.Indianathan

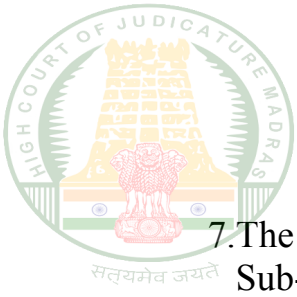
3.Veeraeswari

4.Thanaraja Pandian

5.The Government of Tamil Nadu,  
Represented through its District Collector,  
Viruthunagar District.

6.The Commissioner,  
Aruppukkottai Municipality,  
Pandalkudi Road,  
Aruppukkottai.

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7. The Sub-Registrar,  
Sub-Registrar Office,  
Tiruchuli Road,  
Aruppukkottai.

... Respondents/Respondents 2-7/  
Defendants 1-3 & 5-7

**PRAYER:** Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the fair and decreetal order, dated 06.12.2024 in I.A.No.3 of 2024 in O.S.No.21 of 2022 on the file of the learned Additional District Court, Aruppukkottai.

For Petitioner : Mr.P.Ganapathi Subramanian

### **ORDER**

The present revision petition has been filed by the 4<sup>th</sup> defendant in O.S.No.21 of 2022 on the file of Additional District Court, Aruppukkottai challenging the order passed by the trial Court wherein the request of the petitioner for summoning the Tahsildar, Aruppukkottai for production of documents has been rejected.

2. A perusal of the records reveal that the respondents herein have filed the above said suit for the relief of declaration of title and permanent injunction. The 4<sup>th</sup> defendant in the suit has filed I.A.No.3 of



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2024 to summon the Tahsildar, Aruppukkottai for production of the Jamabandi records, so that he can establish his possession and title over the suit schedule properties. The trial Court has rejected the said application primarily on the ground that the petitioner could get certified copies from the Tahsildar office. This order is put to challenge in the present revision petition.

3. According to the learned counsel appearing for the revision petitioner, during the Jamabandi proceedings, Tahsildar, Aruppukkottai had agreed that the petitioner is the owner of the property and however, he could not get the certified copies of the note filings of the Tahsildar maintained during the Jamabandi proceedings. Hence, he contended that in case, if the Jamabandi proceedings are produced before the trial Court, he would be in a position to establish his title and possession over the suit schedule properties.

4. Considering the fact that the suit is for declaration of title and permanent injunction, the entire burden is upon the plaintiff to establish



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his title and possession over the suit schedule properties. Any file noting maintained by the office of the Tahsildar, Aruppukkottai during the Jamabandi proceedings cannot be relied upon by the trial Court to consider the fact whether the 4<sup>th</sup> defendant is in possession of the property or not. It is always open to the 4<sup>th</sup> defendant to get a certified copy of any order passed by the revenue authorities or other documents to establish his possession over the suit schedule properties.

5. With the above said observations, this Civil Revision Petition stands disposed of. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

**04.02.2025**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
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To

1.The Additional District Court,  
Aruppukkottai.

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2.The District Collector,  
Viruthunagar District.

3.The Commissioner,  
Aruppukkottai Municipality,  
Pandalkudi Road,  
Aruppukkottai.

4.The Sub-Registrar,  
Sub-Registrar Office,  
Tiruchuli Road,  
Aruppukkottai.

5.The Section Officer,  
Vernacular Section,  
Madurai Bench of Madras High Court,  
Madurai.



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**R.VIJAYAKUMAR,J.**

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Order made in  
C.R.P(MD)No.286 of 2025

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