



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-06-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

**CRP No. 489 of 2025
and C.M.P.No.2819 of 2025**

Prakasam

..Petitioner(s)

Vs

1. Sollazhagan
2. Venkatajalapathy
3. Devasankaran
4. Kuberan
5. Suseela
6. Vijayan
7. Devakrishnan
8. Subramanian

..Respondent(s)

PRAYER – This Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 04-10-2024 passed in I.A.No.1 of 2022, in O.S.No.139 of 2017, on the file of the III Additional District Cum Sessions Court, Cuddalore at Vridhachalam.

For Petitioner(s):

Ms.R.MEENAL

For Respondents 1 to 4:

Mr.C.Munusamy



ORDER

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This Civil Revision Petition has been filed challenging the impugned order dated 04.10.2024 passed by the III Additional District Cum Sessions Court, Cuddalore at Vridhachalam, in I.A.No.1 of 2022 in O.S.No.139 of 2017, dismissing the application filed by the petitioner seeking for a direction to the respondents to produce the partition deed executed by the respondents in respect of the suit schedule property. The Trial Court has dismissed the Interlocutory Application filed by the petitioner on the ground that the application has been filed only to delay the proceedings in the suit. The petitioner is aggrieved by the dismissal of the I.A.No.1 of 2022 in O.S.No.139 of 2017 and therefore, has filed the Civil Revision Petition.

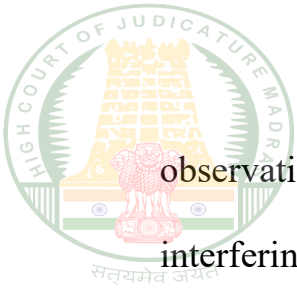
2.This Court pointed out to the learned counsel for the petitioner that if the respondents fail to produce the partition deed relied upon by them through their pleadings in the suit, it is only to the benefit of the petitioner who disputes the existence of such a partition deed. The petitioner had also sought for production of another document through I.A.No.1 of 2022 by the respondents. The said document has also been considered by the Trial Court and the Trial Court has observed that the said document is also irrelevant and therefore, the Trial Court has rejected the request of the petitioner made in I.A.No.1 of 2022.



3. The learned counsel for the petitioner would submit that the petitioner is aggrieved with the observation made by the Trial Court that the petitioner has filed I.A.No.1 of 2022 only to protract the pleadings in the suit, which is not true. Being the plaintiff in the suit, there was no necessity for the petitioner to protract the suit and therefore, the learned counsel for the petitioner would submit that if this Court is not interfering with the impugned order, atleast the adverse observation made against the petitioner in the impugned order that the petitioner is protracting the suit proceedings has to be expunged by this Court.

4. The learned counsel for the respondents 1 and 2 has not raised any serious objection for the observations of the Trial Court made against the petitioner to be expunged by this Court, but however, reiterates that the impugned order cannot be set aside by this Court as the Trial Court has rightly dismissed the petitioner's Interlocutory Application in I.A.No.1 of 2022.

5. This Court, after giving due consideration to the submissions made by both the counsels as well as the impugned order, is of the considered view that the Trial Court has rightly rejected the petitioner's Interlocutory Application in I.A.No.1 of 2022 in O.S.No.139 of 2017. But, however, this Court finds that unnecessary observations have been made by the Trial Court as against the petitioner that the petitioner is only delaying the proceedings in the suit by filing the Interlocutory Application in I.A.No.1 of 2022. Therefore, the said



observations are being expunged by this Court, but however, this Court is not interfering with the impugned order. By expunging the observations as recorded supra made by the Trial Court against the petitioner, this Court is not interfering with the impugned order.

6. Accordingly, this Civil Revision Petition is dismissed. No costs.

Consequently, connected Miscellaneous Petition is closed.

11-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GSA

To

The III Additional District Cum Sessions Judge,
Cuddalore at Vridhachalam.



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ABDUL QUDDHOSE, J.

GSA

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