



WEB COPY

CRP No. 815 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 815 of 2026
C.M.P.No.4346 of 2026

1. Anjalai @ Avanjalai
2. Ramesh
3. Chitra
4. Suresh
 Buvanesh (Died)
5. Janagi
6. Kavitha
7. Poovarasan
8. Nishanthi
9. Preethi @ Vennusti

..Petitioner(s)

Vs

Jayalakshmi

..Respondent(s)

Prayer:- Civil Revision Petition is filed under Article 227 of the Constitution of India, pleaded to set aside the order and decree dated 19.11.2025 made in I.A.No. 7 of 2025 in O.S.No.23 of 2020 on the file of the Court of II Additional District Judge, Tindivanam, by allowing this Civil Revision Petition.

For Petitioner(s):

Mr.T.Dhanasekaran



ORDER

The Civil Revision Petition is filed challenging the order passed by the trial Court dismissing the application filed by the petitioners seeking to play the compact disk marked as Ex.B4 in open Court.

2.The respondent herein filed a suit for specific performance with alternative prayer. The petitioners herein contested the above suit on the ground that there was a loan transaction between the petitioners and respondent and they paid a sum of Rs.13,00,000/- to the respondent with the help of one Devanathan and also agreed to pay remaining sum within six months. The payment of Rs.13,00,000/- by petitioners and Devanathan to respondent was allegedly videographed and the said video is available in the above mentioned compact disk marked by the petitioner as Ex.B4.

3.The instant application has been filed by the petitioners seeking to play the compact disk in open Court in presence of all the parties. The trial Court dismissed the application on the ground that petitioners failed to produce certificate under Section 65 (B) of Indian Evidence Act and therefore, the compact disk cannot be played. Aggrieved by the said order, the petitioners have come before this Court.



4. The learned counsel for the petitioners would submit that he is ready to produce the certificate under Section 65 (B) regarding the compact disk marked as Ex.B4 and on production of certificate the petitioners may be permitted to renew the prayer.

5. It is settled law non-production of certificate under Section 65 (B) of Indian Evidence Act [Sec 63 of BSA] in respect of Electronic Evidence is a curable defect and therefore, petitioners are entitled to produce it before the trial Court. On production of the said certificate, it is open to the petitioners to renew the prayer before the trial Court by filing appropriate application. If any such application is filed, the same shall be considered by the trial Court on its own merits in the light of the certificate filed by the petitioners. With this clarification, the Civil Revision Petition stands dismissed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

18-02-2026

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

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To:-
II Additional District Court,
Tindivanam.



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S.SOUNTCHAR, J.

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