



WEB COPY

CRP No. 1139 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No.1139 of 2025

Kamaraj
S/o.Chinnappan

Petitioner(s)

Vs

1.K.Paneerselvam
S/o.Krishnan

Chinnappan (died)
S/o.Ramasamy

2.Meenachi
W/o.Govindan

3.Gandhi
W/o.Saravanan

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of Constitution of India, prays to set aside the order dated 21.11.2024 made in IA No.6 of 2024 in OS No.566 of 2023 on the file of Subordinate Court, Pappireddipatti.

For Petitioner(s): Mr.P.M.Jayachandran

For Respondent(s): Mr.M.Arun Kumar
for M/s.Sampath Kumar & Asso.
For R1
No appearance for R2 & R3



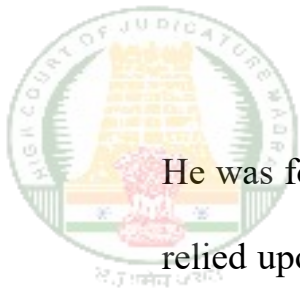
ORDER

Challenging the impugned order passed in I.A. No.6 of 2024 in O.S. No.566 of 2023, on the file of the Subordinate Court, Pappireddipatti, dated 21.11.2024, the second defendant has preferred the present Revision Petition.

2. Before the trial Court, the plaintiff filed I.A. No.6 of 2024 seeking permission to receive the original documents dated 05.11.2014 and 14.03.1988 in order to execute a rectification deed. The plaintiff also undertook to produce the said original documents before the Court.

3. The said application was strongly opposed by the defendants stating that the plaintiff had not approached the Court with correct particulars with regard to the settlement deed and that the plaintiff were attempting to rectify the settlement deed only to fill up the lacuna with respect to the extent of the property. Therefore, objections were raised for handing over the original documents. He also contended that if the document is rectified, the very nature of the suit would change.

4. On considering the submissions made on either side, the learned trial Judge observed that a Commissioner had already been appointed and that while executing the warrant, the Commissioner was unable to measure the property.



He was found that there was an error in the measurement in the settlement deed relied upon by the plaintiff and therefore the plaintiff sought rectification of the same.

5. The learned trial Judge further observed that the settlement deed was executed in the year 2014 in favour of the revision petitioner, but there was an error in the boundaries and therefore the plaintiff intended to rectify the same. For that purpose, the original settlement deed already submitted before the Court as well as the sale deed pertaining to the same were found to be necessary.

6. The trial Court, considering the submissions of the plaintiff, observed that even if the rectification is permitted, the extent of the property would not be altered and only the direction of the boundaries would be corrected. Therefore, such rectification would not change the character of the suit. Accordingly, the petition was allowed and the documents were permitted to be handed over to the plaintiff as prayed for. Aggrieved by the same, the present Revision Petition has been filed.

7. When the matter was taken up for hearing, the learned counsel for the 1st respondent/plaintiff submitted that the original documents had already been



received from the trial Court pursuant to the order passed therein and that the rectification had subsequently been carried out. He further submitted that the original documents had already been returned to the trial Court.

8. In view of the above submission, the issue involved in the present Revision Petition has become infructuous since the rectification has already been carried out and the documents have been returned to the trial Court. However, liberty is granted to the revision petitioner to raise all his defences and objections with regard to the rectification made in the settlement deed dated 05.11.2014 as well as the rectification deed dated 05.12.2024.

9. With the above observation, the Civil Revision Petition is disposed of. Liberty is also granted to the revision petitioner to file an additional written statement as well as a counter claim, if necessary. There shall be no order as to costs.

05-03-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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1. The Subordinate Judge,
Pappireddipatti.
2. The Section Officer, VR Section,
High Court of Madras, Chennai.



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T.V.THAMILSELVI J.
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