



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CRP No. 2280 of 2026
and CMP No.9886 of 2026**

1. Settu

S/o. Mani, Res at Sayanavaram Village,
Nemili Taluk, Ranipet Dist 631201 and
another

2. K. Rajendiran

S/o. late. Kanniyappan, res at Sayanavaram
Village, Nemili Taluk, Ranipet Dist 631201

Petitioner(s)

Vs

1. K. Murugan

S/o Late Kaniyappan, Old No 106, New No
4182, Periya Street, Sayanavaram Village,
Nemili Village, Ranipet Dist 631201

2.M. Sekar

S/o. Mani, Sayanavaram Village, Nemili
Taluk, Ranipet Dt.

Respondent(s)

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and final order dated 24.03.2025 in I.A.No.1 of 2024 in CMA No.4 of 2024 on the file of Subordinate Court, Arakkonam.

For Petitioner(s):

Mr.K. Venkatasubban
for M/s Sarvabhauman Associates

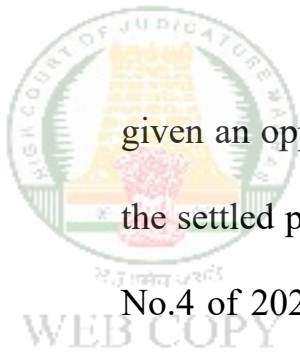


ORDER

WEB COPY Challenging the impugned order passed in I.A.No.1 of 2024, the appellants have filed the present revision.

2. Before the trial Court, the plaintiff filed an application in I.A.No.252 of 2021 in O.S.No.79 of 2021 praying for temporary injunction restraining the defendants from interfering with the suit “C” schedule property and the application was allowed by the trial Court on 13.02.2023. Aggrieved over the same, the defendants preferred an appeal in CMA No.4 of 2024 before the first appellate Court/Subordinate Court, Arakkonam and in order to prove that they are in possession of the property, the defendants filed an application in I.A.No.1 of 2024 to receive additional documents. The trial court dismissed I.A.No.1 of 2024 holding that the petitioners/ appellants have not stated any reason for non-marking of the documents before the trial Court. Aggrieved by the same, they appellants filed the present revision.

3. Learned counsel for the petitioner submits that admittedly those documents have not been placed before the trial court due to lack of communication. But, now, they wanted to prove that they are in possession. In this regard, learned counsel relied on the revenue records viz., Original copy of Thoraya Patta, Xerox copy of E,B.Card, Certified copy of Mortgage Deed and Xerox Copy of Partition deed. But the trial court has not



given an opportunity and has erroneously dismissed the application without considering the settled proposition that I.A.No.1 of 2024 ought to have been heard along with CMA No.4 of 2024 and therefore learned counsel prays for setting aside the order passed by the trial Court.

4. Considering the fact that before the trial Court, the defendants have not produced the documents and only before the first appellate Court, they wanted to produce the documents which are all revenue records, they have filed an application. But the first appellate Court ought to have decided I.A.No.1 of 2024 along with CMA No.4 of 2024. Instead, deciding I.A.No.1 of 2024 separately is erroneous. On that score, the order passed by the first appellate court in I.A.No.1 of 2024 is liable to be set aside.

5. Accordingly, the order passed by the first appellate court in I.A.No.1 of 2024 is set aside and the Subordinate Judge, Arakkonam is directed to try CMA No.4 of 2024 along with I.A.No.1 of 2024 and dispose both I.A.No.1 of 2024 and CMA No.4 of 2024 on merits and in accordance with law after giving opportunity to both the parties and whether those documents are necessary or not can be proved only at the time of deciding the CMA No.4 of 2024.



WEB COPY



T.V.THAMILSELVI.,J

sr

6. With the above direction, the civil revision petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

17.04.2026

sr

Index:yes/no

Website:yes/no

Speaking Order/Non-speaking Order

To

The Subordinate Court, Arakkonam

CRP No. 2280 of 2026