



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1676 of 2026

AND

CMP NO. 7757 OF 2026

1. Kalyanaraman,
Son of Muthukumarasamy, No.30,
Akkarai Street, Konaerirajapuram
Village, Kuthalam Taluk,
Mayiladudurai.

Petitioner(s)

Vs

1. Anusuya,
Wife of Jeyaraj, 94 West Street,
T.Sellapaniyapalayam, Karur, Karur
District.

Respondent(s)

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PRAYER

To call for the records and set aside the Fair and Decretal Order dated 26.11.2025 passed in I.A.No.03 of 2025 in O.S.No.137 of 2024 on the file of Learned Subordinate Judge, Thiruvarur, and allow this Civil Revision with costs throughout and thus render justice.

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For Petitioner(s): MR.S.Surya

For Respondent(s):



ORDER

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This Civil Revision Petition has been filed seeking to call for the records and set aside the Fair and Decretal Order dated 26.11.2025 passed in I.A.No.03 of 2025 in O.S.No.137 of 2024 on the file of Learned Subordinate Judge, Thiruvarur.

2. The petitioner herein filed I.A.No.03 of 2025 in O.S.No.137 of 2024 on the file of Learned Subordinate Judge, Thiruvarur, under Order VIII Rule 3 (A) CPC seeking to receive the additional documents(unregistered relinquishment deed dated 24.04.1991 and promissory note dated 23.02.1984). Upon hearing both sides, the Trial Court partly allowed the application by receiving promissory note. However, in respect of unregistered relinquishment deed it dismissed the application stating that as it is an unregistered document it cannot be taken into consideration as per law.

3. Aggrieved over the same, the petitioner filed this Civil Revision Petition.

4. The learned counsel for the petitioner submits that the said the unregistered relinquishment deed contains recitals in respect of marriage of respondent and gifts received by her and also it contains money transaction between the petitioner's father and respondent's husband. Hence, for the collateral purpose the petitioner wants to produce that document. But the court



below failed to consider the same. Hence, he prays to allow this petition.

5. Heard the submission of the learned counsel for the petitioner.

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6. On perusal of records, it reveals that the respondent filed the suit in O.S.No.137 of 2024 on the file of Learned Subordinate Judge, Thiruvarur, for the relief of partition and for declaration. While pending suit, the petitioner herein filed an application to receive two additional documents. One such document document is unregistered relinquishment deed which is said to have been executed between himself and his father. Hence, in order to prove his defence and for collateral purpose the petitioner wants to mark the said unregistered settlement deed. As rightly pointed out by the Trial court it is an unregistered document but for collateral purpose it can be considered. It is settled proposition that, it is upto the Court to appreciate the said document. If the opportunity is not given to the petitioner his valuable right to defend the case will be defeated. Therefore, the order passed in I.A.No.03 of 2025 in O.S.No.137 of 2024 is set aside. Thus, I.A.No.03 of 2025 in O.S.No.137 of 2024 is allowed. The trial Court is directed to receive the documents subject to relevancy and also directed to give specific findings in respect of unregistered settlement deed while disposing the suit.



7. In the result, this Civil Revision Petition is allowed. No Costs. Pending

Miscellaneous petition(s), if any, is/are closed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Subordinate Judge, Thiruvarur.

2. The Section Officer, V.R Section, High Court, Madras.



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T.V.THAMILSELVI J.
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