



WEB COPY

CRP No. 2260 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2260 of 2024

AND

CMP NO. 11912 OF 2024

1. R. Ravishankar
S/o. Late. G. Ramanujam, Ramanuja
Flats, No. 63, W Block, 3rd Street,
Anna Nagar, Chennai 040

Petitioner(s)

Vs

1. G. Manivannan
S/o. Late.R.Gopalsamy Pillai, 2/58,
Krishnama Lane, Nungambakkam,
Chennai 34

2.Poongkudi
W/o. G.Manivannan 2/58, Krishnama
Lane, Nungambakkam, Chennai 34

3.M.Pradeep
S/o. G.Manivannan 2/58, Krishnama
Lane, Nungambakkam, Chennai 34

Respondent(s)

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PRAYER

To set aside the order IA No. 5 of 2023 in OS No 2227 of 2021 dated 31.07.2023 passed by the Learned XVIII Assistant City Civil Judge, Chennai and consequently direct the Learned XVIII Assistant City Civil Judge, Chennai to Reject/Expunge the document marked as Exhibit A5 said suit.



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For Petitioner(s): Mr.Leelesh For M/s.Nathan And Associates

For Respondent(s): MR.G.Ilangovan FOR R1 TO R3

ORDER

This Civil Revision Petition has been filed seeking to set aside the order in IA No. 5 of 2023 in OS No 2227 of 2021 dated 31.07.2023 passed by the Learned XVIII Assistant City Civil Judge, Chennai and consequently direct the Learned XVIII Assistant City Civil Judge, Chennai to Reject/Expunge the document marked as Exhibit A5 in the said suit.

2. The petitioner herein filed filed IA No. 5 of 2023 in OS No 2227 of 2021 on the file of XVIII Assistant City Civil Judge, Chennai, under Order XIII Rule 3 CPC, r/w 151 CPC seeking to withdraw the document dated 15.02.2006(copy of the settlement deed document No. 137 of 2006) marked as Ex.A5 in the suit. Upon hearing both sides the Trial Court dismissed the application by holding that the said application is not maintainable during the pendency of the suit.

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

4. The learned counsel for the petitioner submits that the petitioner has filed the suit for mandatory injunction in respect of suit property with an extent



of 130 sq. ft., as described in the plaint schedule in R.S No. 251/1 part AFC NO. 201, it is no way connected with the said settlement deed. Therefore, the petitioner wants to withdraw the said document.

5. The learned counsel for the respondents submit that they have no objection to return the document.

6. Heard both sides.

7. On perusal of the settlement deed, it reveals that property covered under the said settlement deed is an extent of 40 sq.ft., with four specific boundaries but it totally differs from the suit property. Therefore, the reason assigned by the petitioner is acceptable one. Since it is not relevant to the suit property and also the respondent has no objection to return the same, the order passed in IA No. 5 of 2023 in OS No 2227 of 2021 dated 31.07.2023 by the Learned XVIII Assistant City Civil Judge, Chennai is set aside. The XVIII Assistant City Civil Judge, Chennai is directed to return the document dated 15.02.2006(copy of the settlement deed document No. 137 of 2006) marked as Ex.A5 in OS No. 2227 of 2021 to the petitioner.

8. In the result, this Civil Revision Petition is allowed. No costs. Pending miscellaneous petition(s), if any, is/are closed.

23-03-2026

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To

1. The XVIII Assistant City Civil Judge, Chennai.
2. The Section officer, V. R Section, high Court, Madras.



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T.V.THAMILSELVI J.
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