



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2232 of 2026

AND

CRP NO. 2234 OF 2026,CMP NO. 9712 OF 2026

1. M. Krishuvadass @ Krishnamoorthy
S/o. Michael, Res. at Panrutti Village,
Sriperumbudur Taluk, Kancheepuram
District.

2. G. Natraj Xavier @ Natraj
S/o. Gnanaprakasam, Res. at Panrutti
Village, Sriperumbudur Taluk,
Kancheepuram District.

3. G. Sampath @ Amala Doss
S/o. Govindaraj, Res. at Panrutti
Village, Sriperumbudur Taluk,
Kancheepuram District.

Petitioner(s)

Vs

1. E.Martin Susairaj
S/o Elias, Res.at Panrutti Village,
Sriperumbudur Taluk, Kancheepuram
District.

2.E. Martin Arul Raj
S/o. Elias, Res. at Panrutti Village,
Sriperumbudur Taluk, Kancheepuram
District.

3.E. Martin Thomas Raj
S/o. Elias, Res. at Panrutti Village,
Sriperumbudur Taluk, Kancheepuram
District.



4.C. Anand

S/o. Chinnappan, Res. at Panrutti
Village, Sriperumbudur Taluk,
Kancheepuram District.

5.A. Adaikala Mary

W/o. Anand, Res. at Panrutti Village,
Sriperumbudur Taluk, Kancheepuram
District.

6.E. Jamma

D/o. Elias, Res. at Panrutti Village,
Sriperumbudur Taluk, Kancheepuram
District.

7.M. Vasantha Kumari

W/o. Martin Susairaj, Res. at Panrutti
Village, Sriperumbudur Taluk,
Kancheepuram District.

8.M. Seeba

W/o. Martin Thomas Raj, Res. at
Panrutti Village, Sriperumbudur Taluk,
Kancheepuram District.

9.M. Mary Sherley

W/o. Martin Arulraj, Res. at Panrutti
Village, Sriperumbudur Taluk,
Kancheepuram District.

10.E. Mary

D/o. Elias, Res. at Panrutti Village,
Sriperumbudur Taluk, Kancheepuram
District.

11.M.Elias

S/o. Martin, Res. at Panrutti Village,
Sriperumbudur Taluk, Kancheepuram
District.

12.Arulmigu Sagaya Mary Madha
Church,

Rep by its Property Administrator of
Diocese of Chengalpattu



Respondent(s)

CRP No. 2234 of 2026

1. M. Krithuvadass @ Krishnamoorthy
S/o Michael, No 2/67, Rajiv Gandhi
Street, Panrutti Village and Post,
Thenneri Via, Sriperumbudur Tk,
Kanchipuram Dist 631 604

2.G. Natraj Xavier @ Natraj
S/o. Gnanaprakasam, Res. at Panrutti
Village, Sriperumbudur Taluk,
Kancheepuram District.

3.G. Sampath @ Amala Doss
S/o. Govindaraj, Res. at Panrutti
Village, Sriperumbudur Taluk,
Kancheepuram District.

Appellant(s)

Vs

1. E.Martin Susairaj
S/o Elias, Madhankoil Street, Panrutti
Village and Post, Thenneri Via,
Sriperumbudur Tk, Kanchipuram Dist
631 604

2.E. Martin Arul Raj
S/o. Elias, Res. at Panrutti Village,
Sriperumbudur Taluk, Kancheepuram
District.

3.E. Martin Thomas Raj
S/o. Elias, Res. at Panrutti Village,
Sriperumbudur Taluk, Kancheepuram
District.

4.C. Anand
S/o. Chinnappan, Res. at Panrutti
Village, Sriperumbudur Taluk,
Kancheepuram District.

5.A. Adaikala Mary
W/o. Anand, Res. at Panrutti Village,



Sriperumbudur Taluk, Kancheepuram District.

6.E. Jamma

D/o. Elias, Res. at Panrutti Village,
Sriperumbudur Taluk, Kancheepuram District.

7.M. Vasantha Kumari

W/o. Martin Susairaj, Res. at Panrutti Village,
Sriperumbudur Taluk, Kancheepuram District.

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W/o. Martin Thomas Raj, Res. at Panrutti Village,
Sriperumbudur Taluk, Kancheepuram District.

9.M. Mary Sherley

W/o. Martin Arulraj, Res. at Panrutti Village,
Sriperumbudur Taluk, Kancheepuram District.

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D/o. Elias, Res. at Panrutti Village,
Sriperumbudur Taluk, Kancheepuram District.

11.M.Elias

S/o. Martin, Res. at Panrutti Village,
Sriperumbudur Taluk, Kancheepuram District.

12.Arulmigu Sagaya Mary Madha Church,

Rep by its Property Administrator of
Diocese of Chengalpattu

Respondent(s)

PRAYER in CRP.No.2232 of 2026:

Civil Revision Petition filed under Article 227 of Constitution of India, prays to set aside the order dated 02.03.2026 passed in I.A.No.5 of 2026 in O.S.No.195 of 2023 on the file of the Principal Subordinate Court, Kancheepuram.



PRAYER in CRP.No.2234 of 2026:

Civil Revision Petition filed under Article 227 of Constitution of India, prays to set aside the order dated 02.03.2026 passed in I.A.No.4 of 2026 in O.S.No.195 of 2023 on the file of the Principal Subordinate Court, Kancheepuram.

For Petitioner(s): Mr.K.Govi Ganesan

For Respondent(s): Mr.S.Bala Subramaniam

COMMON ORDER

The petitioners have filed this revision petition to set aside the order dated 02.03.2026 passed in I.A. No. 5 of 2026 in O.S. No. 195 of 2023 on the file of the Principal Subordinate Court, Kancheepuram.

2. Challenging the impugned order passed by the trial Court in I.A. Nos. 4 and 5 of 2026 in O.S. No. 195 of 2023 on the file of the Principal Subordinate Court, Kancheepuram, the plaintiff has preferred these revision petitions. Before the trial Court, the plaintiff filed two applications, I.A. No. 4 of 2026 under Order VII Rule 14(3) read with Section 151 of the Code of Civil Procedure, seeking leave of the Court to receive additional documents, and I.A. No. 5 of 2026 under Order XVIII Rule 17 read with Section 151 of the Code of Civil Procedure, seeking to recall DW3 for the purpose of marking those documents in the suit. Upon hearing both sides, the learned trial Judge dismissed the said applications. Aggrieved by the same, the present revision petitions have been filed.



3. The learned counsel for the revision petitioners submitted that, after the commencement of the trial, when Ex.A27 (Transfer Certificate) was marked during the cross-examination of DW3, the necessity arose for the plaintiffs to prove that they are following Christianity. For that purpose, they produced the Baptism Certificate and the Family Card issued by the Parish Priest, Panruti. These documents, according to the petitioners, are essential to prove their claim in the suit. However, the Court below failed to provide such an opportunity and erroneously dismissed the applications. Hence, he prayed to set aside the order passed by the learned trial Judge.

4. The learned counsel for respondents 1 to 11 raised objections, stating that the suit was originally filed in the year 2015, wherein the plaintiffs claimed that they are members of the Church and sought appropriate reliefs. The defendants contested the suit, and the trial has already commenced. During the cross-examination of DW3, the School Transfer Certificate relating to the 3rd plaintiff's son was marked as Ex.A27, which reflects the plaintiff's religion as Hindu. Thereafter, in order to fill up the lacuna, the plaintiffs have now come forward with a Baptism Certificate, allegedly issued on 26.01.2026 by the Parish Priest, Palnellore, subsequent to the filing of the suit. Therefore, the trial Court rightly dismissed the applications, and no interference is warranted.



5. On considering the submissions of both sides and upon perusal of the records, it is seen that the revision petitioners, who are the plaintiffs, originally filed the suit in O.S. No. 381 of 2015 before the District Munsif Court, Sriperumbudur, seeking a declaration that they are members of the Arulmigu Sagaya Mary Madha Church, along with other consequential reliefs.

6. The defendants have contested the suit, and the trial has commenced. During the cross-examination of DW3, the plaintiffs came forward with applications seeking to receive certain documents, namely the Baptism Certificate and the Family Card. However, the Court below found that these documents were sought to be produced only to fill up the lacuna that arose after the marking of Ex.A27.

7. Admittedly, Ex.A27 is the School Transfer Certificate of the plaintiffs' son. According to the contention of the respondents, the said Transfer Certificate mentions the religion of the plaintiffs' son as Hindu. Based on this, it is contended that the plaintiffs are not following Christianity and are, in fact, continuing to follow Hinduism.

8. Thereafter, the plaintiffs filed the present applications to produce a Baptism Certificate dated 26.01.2026. As rightly pointed out by the learned counsel for the respondents, these certificates were issued by the Parish Priest



only after the commencement of the trial, which is not permissible. It is a settled principle of law that parties are not permitted to adduce evidence to fill up lacunae in their case. Moreover, there is no pleading in the plaint with regard to these documents.

9. Therefore, the Court below has rightly dismissed the applications, and the same does not warrant any interference by this Court. Accordingly, these Civil Revision Petitions are dismissed as devoid of merits. Consequently, the connected miscellaneous petition is closed. There shall be no order as to costs.

16-04-2026

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
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Note: Issue order copy by 17.04.2026.

To

- 1.The Principal Subordinate Judge, Kancheepuram.
2. The Section Officer, VR Section, High Court of Madras, Chennai.



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T.V.THAMILSELVI J.
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