



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-04-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2143 of 2026

AND

CMP NO. 9367 OF 2026

D.Jayakaran
S/o. Late Dhanraj @ Sivabalan,
No.73, 12th Street,
North Jaganatha Nagar,
Villivakkam,
Chennai-600 049.

..Petitioner(s)

Vs

1. T.Sofia Meena
D/o. Late Dhanraj @ Sivabalan,
No.6/4, SRB Nagar,
Kolathur, Chennai-600 099.
2. D.Paul David
S/o.Late Dhanraj @ Sivabalan,
No.9 Karthik Avenue Extn.,
Srinivasa Nagar Post,
Peerankaranai, Chennai 600 063.
- Gunaseeli (deceased),
3. Charles Manohar
Rest at No.5 Duraisamy Illam,
Mettu Street,
Cauveri Lane,
Kumbakonam
4. Leena Juliet
Rest at No.5 Duraisamy Illam,
Mettu Street,
Cauveri Lane,
Kumbakonam



..Respondent(s)

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order dated 05-03-2026 made in IA.No.4 of 2025 in OS.No.5927 of 2023 on the file of the XV Addl.City Civil Court, Chennai.

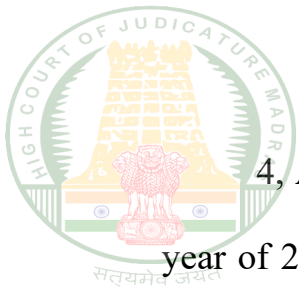
For Petitioner(s): Ms.C.S.Vedavalli

ORDER

Challenging the order dated 05-03-2026 made in IA.No.4 of 2025 in OS.No.5927 of 2023 on the file of the XV Additional City Civil Court, Chennai, first defendant has preferred this revision petition.

2. The revision petitioner, who is the first defendant, filed an application in I.A.No.4 of 2025 before the trial court to file documents to prove his evidence. The said application was dismissed by the trial judge on hearing both sides by holding that the reason assigned to produce those documents is not justifiable. Therefore, the trial court has dismissed the application. Aggrieved over the same, the first defendant has preferred this revision petition.

3. The learned counsel for the revision petitioner submits that now the evidence on the side of the defendants have begin and at that time he produced the documents which are relevant according to him to prove his defence. But the court below failed to give such opportunity.



4, A perusal of the records reveals that the originally suit was filed in the year of 2023 by the respondent / plaintiff seeking relief of partition against the defendants and they also contested the suit by filing the written statement. There was a complaint arose between the parties on 07.07.2021 wherein both had approached the police and to that effect they want to produce certain documents. So far the defendants have not adduced any documents. Now only his evidence is crossed, so at this stage what are the documents available to him is liable to be produced. Such opportunity has not given to the defendant, which is valuable right to defend the case. Therefore the findings of the trial court is set aside.

5. Accordingly, this Civil Revision Petition is allowed and the order dated 05.03.2026 in I.A.No.4 of 2025 in O.S.No.5927 of 2023 on the file of the XV Additional City Civil Court, Chennai is set aside. This Court also directs the trial court to receive the documents. Liberty is granted to the plaintiff to raise all objections at the time of cross examining the witnesses and after the completion of the trial, the trial court shall give finding with regard to the documents whether it is relevant or irrelevant. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

10-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
MTL



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To

1. The XV Additional City Civil Court, Chennai.

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T.V.THAMILSELVI J.

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