



WEB COPY

CRP No. 2819 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

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

CRP No. 2819 of 2025 & CMP.No.15966 of 2025

1. R. Kaliammal
W/o. M.S.Raju, No.81/16, Annai Sivagami
Nagar, 2nd Street, Ramasamy Nagar,
Kathivakkam, Ennore, Chennai - 600 057.
2. R. Imayavarman
S/o. M.S.Raju, No.81/16, Annai Sivagami
Nagar, 2nd Street, Ramasamy Nagar,
Kathivakkam, Ennore, Chennai - 600 057.
3. D. Munusamy
S/o.Durairaj, No.81/16, Annai Sivagami Nagar,
2nd Street, Ramasamy Nagar, Kathivakkam,
Ennore, Chennai - 600 057.

..Petitioner(s)

Vs

G. Rajalakshmi
W/o.Gopi, No.81/16, Annai Sivagami Nagar, 2nd
Street, Ramasamy Nagar, Kathivakkam, Ennore,
Chennai - 600 057.

..Respondent(s)

Prayer : Civil Revision Petition filed under Article 227 of Constitution of India to set aside the Fair and Decretal Order dated 30.06.2025 in I.A.No.5 of 2024 in OS.No.42 of 2021, on the File District Munsif Court, Thiruvotriyur, pending disposal of the Civil Revision Petition.



For Petitioner(s): Mr.K.Selvaraj

For Respondent(s): Mr.N.Vijayakumar

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ORDER

Challenging the impugned Order passed by the trial Court in I.A.No.5 of 2024 in O.S.No.42 of 2021, the present Civil Revision Petition has been preferred by the defendants.

2. The respondent/plaintiff has filed the suit for permanent injunction against the defendants. Pending suit, the petitioners have filed an application to issue subpoena to the Commissioner of Chennai Corporation to examine the records with regard to the address details of the suit property. The trial Court dismissed the application on the ground that the Court cannot issue summons to produce documents when the Court do not know the details of the records. Aggrieved over the same, the present Civil Revision Petition has been filed.

3. The learned counsel appearing for the petitioners would submit that the plaintiff has mentioned in the plaint that the door number of the suit property is 81/16A , whereas there is no such door number and in order prove the same, they want to issue subpoena to the Chennai Corporation to produce



the records with regard to door number of the property. But the trial Court has erroneously dismissed the application. Hence, prayed to set aside the Order.

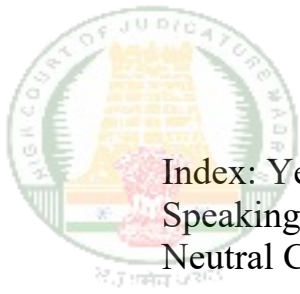
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4. The learned counsel appearing for the respondent raised objections stating that the petitioners have not mentioned the document to be produced and only to drag on the proceedings, they had come forward with the application.

5. A perusal of records reveal that the suit is in part heard stage and the respondent/plaintiff had filed the suit for permanent injunction in respect of Door No.81/16A, Annai Sivagami Nagar 2nd Street, Ramasamy Nagar, Kathivakkam, Ennore, Chennai – 600 057. But according to the defendants, there is no such door number in existence and to prove the same, they want to issue subpoena to the Commissioner of Chennai Corporation. Whether there is such door number or not, has to be decided in trial through substantial evidence for which an opportunity has to be given to the petitioners and it would not cause any prejudice to the respondent.

6. Accordingly, this Civil Revision Petition is allowed and the Order of the trial Court in I.A.No.5 of 2024 in O.S.No.42 of 2021 is set aside. No costs. Consequently, connected miscellaneous petition is closed.

11-03-2026



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

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To

The District Munsif,
Thiruvottiyur



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T.V.THAMILSELVI, J.

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