



CRP No.4994 of 20__

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 4994 of 2025 and CMP No.25237 of 2025

1. B.Kamalaveni
W/o.B.Balasubramaniam,
D.No.8/19, Ramayia Colony West,
4th St, Tirupur.

Petitioner(s)

Vs

1. A.Venkateswari
W/o.Anandan, D.No.46A Durairaj St,
Allwar Thirunagar, Valasaravakkam,
Chennai 87.

Respondent(s)

Civil Revision Petition filed under Article 227 of Constitution of India against the order dated 21.08.2025 in I.A.No.13 of 2025 in O.S.No.674 of 2025 on the file of Additional Subordinate Judge, Tiruppur.

For Petitioner(s): MT.K.Sudhakar

For Respondent(s): MR.K.Prabhakaran

ORDER

Challenging the impugned order passed in I.A.No.13 of 2025 in OS No.674 of 2015 dated 21.08.2025, the first defendant has filed the above revision.



2. Before the trial Court the revision petitioner/1st defendant has sought for production of original documents which is under the possession of the plaintiff in respect of the properties located at Gudalur, Nilgiris District. The said application was dismissed by the trial Judge holding that the death certificate and the legal heirship certificate of the father was already produced by the plaintiff and since the plaintiff has stated that the documents sought for in the petition were not available with her, the trial court granted liberty to the revision petitioner/1st defendant to produce the certified copies of the same if necessary for adjudication. Challenging the same, the first defendant has filed the present revision.

3. Learned counsel for the petitioner submits that the first defendant is illiterate and she was not aware of the particulars of the properties at Gudalur, Nilgiris District, but the plaintiff is having the original documents and she also admits the same during the cross examination that she is holding the documents. The trial Court ought to have given directions to the plaintiff to produce the documents instead, dismissed the petition, which is erroneous and therefore, prays for allowing the revision.

4. Learned counsel for the respondent/plaintiff raised objection stating



that she is not having the original documents and it is also no way connected with the suit property and therefore, the reasons assigned by the trial Court is proper and justified and do not require any interference.

5. I have considered the submissions made by the learned counsel on either side and perused the materials available on record.

6. As already pointed out by the learned counsel for the revision petitioner/1st defendant, during the cross examination, the plaintiff admits that the properties situate at Gudalur was already divided and share was also given to her and also admits that the documents, belonging to parents in respect of immovable properties are under her custody.

7. Since the plaintiff admits that she is having the documents in her custody, the trial Court has failed to give direction to the plaintiff to produce those documents and dismissed the application, which is erroneous and liable to be set aside.

8. Accordingly, the order passed by the trial Court in I.A.No.13 of 2025 dated 21.08.2025 is set aside and the civil revision petition is allowed.



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T.V.THAMILSELVI.,J

sr

The respondent/plaintiff is directed to produce the documents. No costs.

Consequently, connected miscellaneous petition is closed.

23.03.2026

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Index:yes/no

Website:yes/no

Speaking Order/Non-Speaking Order

to

The Additional Subordinate Court, Tiruppur

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