



WEB COPY

CRP No. 6663 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 6663 of 2025

and

CMP No. 32973 of 2025

P.Rangarajan (deceased)

Aakash Rangarajan

(Sole legal heir of the deceased P.Rangarajan) and

Legal representative of P.Rangarajan (died on
12.09.2020)

(amended vide order 30.03.2023 in
I.A.No.2 of 2022)

..Petitioner

Vs

1. The Registrar Of Co-operative Societies (Housing)

TNHB Building 493,
Anna Salai,Nandanam,
Chennai 600035

2. The Deputy Registrar of Cooperative Societies,
(Housing) Chennai Region

28, Ramanathan St.,
T.Nagar,
Chennai 600017

3. The Madras Journalists Cooperative Housing Society
Ltd.

Represented by its President,
Park Area, Srinivasapuram,
Thiruvanmiyur, Chennai 600 041

..Respondents



Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to allow this Civil Revision Petition and set aside that part of the fair and decreetal order of the learned VI Assistant City Civil Judge, Chennai of which was dismissed in the IA.No.07 of 2025 in OS.No.2446 of 2015 dated 13.10.2025.

For Petitioner: Mr.N.Paul Sunder Singh

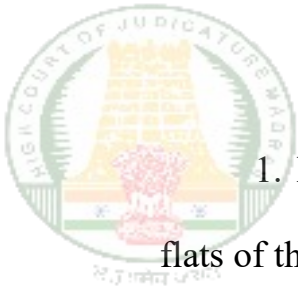
For R1 and R2: Mr.N.Muthuvel, Govt.Advocate

For R3: Ms.M.Meenatchi
for Mr.P.Anbarasan

ORDER

The Civil Revision Petition is filed challenging the order passed by the trial court dismissing the application filed by the petitioner seeking production of the documents.

2. The petitioner herein filed a suit seeking declaration that the letter dated 07-04-2015 issued by third defendant in cancelling the allotment of house bearing No. 111, Journalist Colony, Thiruvannmiyur was null and void and for further direction to third defendant to issue audited statement of accounts from 1992 to 31-01-2012. The petitioner also sought for a direction to third defendant to accept one percent service charge as directed by the Registrar. Pending suit, the instant application has been filed by the petitioners seeking direction to respondents to produce the following documents:-



1. Itemized statement of total cost of construction of all the houses and flats of the 3rd defendant Society.

2. Bank Passbooks of the 3rd Defendant Society covering all its banking transactions from the time the Society was created till date.

3. Ledger Xerox Copies of the Plaintiff from start to date.

4. Administrative expenses of the 3rd Defendant Society from Start till date including project costs for the construction of the houses and flats of the 3rd Defendant Society.

3. The above said application was dismissed by the trial court on the ground that Document Nos. 1 to 3 have been produced by the defendants. As far as document No. 4 is concerned, the trial court, directed the defendants to produce it in case the same was in their custody. In case of default, by relying on Section 164 of Indian Evidence Act, it held that defendants who failed to produce document No.4 are not entitled to rely on the said documents at the time of recording evidence without consent of the petitioner herein. Aggrieved by the said order, the petitioner has come before this court.

4. The learned counsel for the petitioner vehemently contended that the respondents/ defendants failed to produce the document Nos. 1 to 3 in its full form and hence, the trial court committed an error in dismissing the application filed by the petitioner seeking production of the documents.

5. The petitioner filed application seeking direction to the defendants to produce the documents. If the documents are not produced by the defendants, it



is always open to the petitioner to advance arguments regarding adverse inference. The petitioner can always submit a request to the Court to draw adverse inference against the respondents/defendants for their failure to produce the document Nos.1 to 3.

6. In view of the said option available to the petitioner, I do not think the impugned order passed by the trial court requires interference. Now, there is a dispute with regard to the production of the document Nos. 1 to 3 mentioned in the petition. The trial court shall take into consideration the documents produced by the defendants in its memo dated 07-12-2025 filed by the third defendant and come to the conclusion whether the documents requested by the petitioner were already produced by the defendants or not. In case the documents are not produced as requested by the petitioner, it is open to the petitioner to argue on the question of adverse inference.

7. With this clarification, the civil revision petition stands disposed of. No cost. Consequently, the connected miscellaneous petition is closed.

28-01-2026

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

nr



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Chennai

3.The Deputy Registrar of Cooperative Societies,
(Housing) Chennai Region
28, Ramanathan St.,
T.Nagar,
Chennai 600017



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S.SOUNTHAR J.

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