



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2026

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 55 of 2026 and
CMP No.135 of 2026**

1. Meera Kumari,
Rep. by her Power Agent Ragupathy,
No.10, Ayyankulathu Street,
Kottucherry, Karaikal.

Petitioner(s)

Vs

1. Durai Pillai,
S/o.Venkatachalam, Residing at No.41,
Kannadiar Street, Karaikal.

2.Venkatesh,
S/o.Durai Pillai, Residing at No.41,
Kannadiar Street, Karaikal.

Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the Order passed in I.A.No.4 of 2025 in O.S.No.7 of 2024 dated 18.07.2025 on the file of District Judge, Karaikal.

For Petitioner(s): Ms.BA Nalini
for Mr. K.V.Babu



ORDER

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This Civil Revision Petition is filed, challenging the order passed by the Trial Court, disposing of the application filed by the petitioner, seeking production of certain documents by the respondents, by recording the averments contained in the counter affidavit filed by them.

2. The petitioner herein/plaintiff filed a suit in O.S.No.7 of 2024 against the respondents/defendants seeking rendition of accounts. Pending suit, instant application has been filed by the petitioner seeking direction to the respondents/ defendants to produce the following documents.

- i) Original sale deed dated 31.07.2006.
- ii) Original 4 Nos. of Andhara Bank Cheque dated 17.07.2020.
- iii) Original deed of acknowledgment dated 17.07.2020 and
- iv) Original book of accounts for the period of 2020-2021 to 31.03.2023.

3. The respondents/defendants filed counter stating that the original of first document, namely sale deed dated 31.07.2006 was not in their possession and they already produced the copy of the same along with the written



statement. It is further stated in the counter that the xerox copies of the documents No.2 and 3 were already filed along with the written statement and they undertook to produce the original of the same at the time of trial. As far as the 4th document is concerned, xerox copies of the relevant pages of those original book of accounts have been produced by them.

3. Recording the above statements made by the respondents/defendants, the trial court disposed of the application filed by the petitioners, holding that the request of the petitioner has been substantially complied with. Aggrieved by the same, the petitioner has come before this court.

4. The learned counsel for the petitioner would submit that the respondents failed to produce the original of document Nos.2 to 4 and therefore, the Trial Court ought not to have disposed of the application , by recording the averments made by the respondents in their counter.

5. As far as the documents No.2 and 3 are concerned, the respondents undertook to file the original of the same at the time of trial. Therefore, the request of the petitioner has been substantially met in respect of document Nos.



2 and 3. As far as the document No.4 is concerned, the respondents produced xerox copies of the relevant pages of the original book of accounts. If the original document of the same is not produced by the respondents at the time of trial, it is always open to the petitioner to raise objections with regard to the admissibility of the document and also to seek adverse inference for non production of the original documents by the respondents.

6. With the above clarification, this civil revision petition is disposed of. There shall be no order as to costs. Connected miscellaneous petition is closed.

08.01.2026

Internet : Yes
Index : Yes / No
Neutral Citation:Yes/No
MST

To

The District Judge, Karaikal.



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S.SOUNTHAR, J.

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