



CRP(MD). No.554 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 26/02/2026

CORAM

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

CRP(MD). No.554 of 2026 and
CMP(MD).No.2484 of 2026

1. Karuppanan @ Joseph
2. Pitchaimani
3. M.Krishnamoorthy

... Petitioners

Vs

1. Ayyanar (Died)
1. Selvakumar
2. Palanisamy
3. Sathiyakala
4. M. Vasiyammal
5. N. Pandiyammal
6. N. Kaliraj
7. S. Suruliraj
8. P. Lakshmi
9. N. Anandhan
10. Suruliyammal
11. M. Surulivel
12. P. Pandiyammal
13. Thanikodi
14. Chellappan
15. Neelavathi
16. Parthiban
17. Santhi
18. Jeya
19. Surya

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20. Saraswathi
21. Murugeshwari
22. Rathinaselvi
23. Renganayagi,
24. Krishnaveni,
25. Radhakrishnan

... Respondents

PRAYER :-

Civil Revision Petition filed under Article 227 of the Constitution of India to allow this civil revision petition by setting aside the impugned fair order and executable order dated 17-11-2025 passed in I.A.No. 19/2025 in O.S.No.108/2015 pending on the file of the District Munsif Court at Aundipatti, Theni District and pass such further or other orders as this Honourable Court may deem fit and proper in the nature and circumstances of the case and thus render justice.

For Petitioners : Mr. K.Anbumanikandan Tamilsooriyan

ORDER

This Civil Revision Petition has been filed to set aside the fair and executable order dated 17.11.2025 passed in I.A.No.19 of 2025 in O.S.No.108 of 2015 on the file of the District Munsif Court, Aundipatti, Theni District.

2. The said interlocutory application was filed by the revision petitioners / plaintiffs seeking to recall the evidence of D.W.15 and D.W.



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16, who were examined on the side of the defendants.

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3. The learned counsel appearing for the revision petitioners submitted that D.W.15 and D.W.16 are official witnesses and that the petitioners sought to recall them for the purpose of marking certain revenue records such as patta and other connected documents, which according to the petitioners are available in the public domain. It is the contention of the petitioners that recalling the said witnesses would enable the petitioners to properly place the relevant revenue records before the Court for adjudication of the dispute.

4. This Court has considered the submissions made by the learned counsel for the revision petitioners and perused the materials available on record.

5. It is seen that the application filed before the trial Court was only for the purpose of recalling D.W.15 and D.W.16 in order to mark certain revenue records. However, the petitioners have not taken appropriate steps in accordance with Rule 75 of the Civil Rules of



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Practice, which governs the procedure for summoning and producing public documents through the concerned authorities.

6. When the documents sought to be marked are public documents maintained by revenue authorities, the party seeking to rely upon such documents must take proper procedural steps by filing the necessary application before the Court for summoning the records or for producing certified copies in the manner known to law. In the present case, the petitioners have not taken any such steps nor has proper application been filed explaining the necessity for recalling the said witnesses in accordance with the procedure contemplated under the Civil Rules of Practice.

7. In the absence of compliance with the required procedure, a mere application seeking recall of official witnesses for the purpose of marking revenue records cannot be entertained. The trial Court, upon considering these aspects, has rightly dismissed the application. This Court does not find any illegality, irregularity, or perversity in the order passed by the trial Court warranting interference in the exercise of the



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revisional jurisdiction of this Court.

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8. Accordingly, this Civil Revision Petition is dismissed. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

26.02.2026

TRP

Index : yes / no

Internet : yes / no

TO

The District Munsif Court at Aundipatti, Theni District



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N. SENTHILKUMAR,J

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