



C.R.P.(MD) Nos.694 and 792 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2026

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

**C.R.P.(MD) Nos.694 and 792 of 2026
and
CMP(MD) Nos.3218 and 3658 of 2026**

Regina @ Valliyammal (died)

1.Karuppasamy

2.Muthuramalingam

3.Selvam

4.Antonyammal

5.Yogaselvi

6.Kavitha

7.Maariyammal

... Petitioners in both CRPs.,

vs.

Sesumudiyappan (died)

Amirdham (died)

1.Jeyakkani

2.Sagayaselvi

3.Muthuraayar

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4.Anthonymuthu

5.Alphonse

... Respondents in both CRPs.,

COMMON PRAYER: Civil Revision Petitions filed under Article 227 of the Constitution of India, to set aside the impugned orders dated 29.01.2026 passed in I.A.Nos.11 and 12 of 2026 in O.S.No.359 of 2005 on the file of the learned Additional District Munsif, Aruppukkottai.

For Petitioners
in both CRPs., : Mr.K.Dinesh

COMMON ORDER

This Civil Revision Petition challenges the order dated 29.01.2026 passed in I.A.Nos.11 and 12 of 2026 in O.S.No.359 of 2005 by the learned Additional District Munsif, Aruppukkottai.

2.The Civil Revision Petitioners are the defendants in the suit.
The facts necessary for the disposal of this Revision are as follows:-

3.The plaintiff, Sesumudiyappan and the father of defendants 1 to 3, Vedhamuthu @ Muthusamy, are siblings. Pending suit, Sesumudiyappan passed away and his legal heirs were brought on



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record. The plaintiff claimed that there was a partition between Vedhamuthu @ Muthusamy and himself sometime in 1970's. In the oral partition entered into between the brothers, the plaintiff claimed that the suit schedule mentioned property was allotted to him. This factum was disputed by the defendants. Hence, he presented a suit for declaration of title and for permanent injunction.

4.The defendants have filed a written statement and have contested the suit. Pending suit, the original defendant passed away and her legal heirs were brought on record. Evidence on both sides have been concluded and the matter is now listed for arguments.

5.At that stage, the petitioners herien filed an application to reopen the defendants' side evidence and to mark certain documents. These were in I.A.Nos.11 and 12 of 2026. The learned Judge dismissed the petitions on 29.01.2026. Hence, this Revision.

6.Mr.K.Dinesh urges that the entire case of the plaintiffs is based on revenue records and utilizing the wrong entry made therein, the plaintiffs are claiming right over the property. He further states that the documents, which the defendants want to introduce, are



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records, which they have obtained under the Right to Information Act, 2005, which will indicate the errors that has been committed during the maintenance of the revenue records. These documents, according to him, being vital, have to be received in evidence, so as to enable the defendants to substantiate their case.

7.I have carefully considered the submissions of Mr.K.Dinesh. I have gone through the records.

8.The defendants seek to demolish the case of the plaintiffs on the basis of certain revenue records. The suit is one for title. Revenue records neither create nor extinguish title in a person (see, ***Prahlad Pradhan and others Vs. Sonu Kumhar and others, (2019) 10 SCC 259***). Furthermore, revenue records, which have come into existence *post litem motam* are irrelevant, when it comes to a title suit. In such a suit, it is the duty of the plaintiff to prove his title. The burden is on him. He has to prove that he has a better title than the defendant in order to succeed in the suit. It is not the job of the defendants, to take onto themselves, the task that has to be borne by the plaintiff.



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9.The documents, which Mr.K.Dinesh urges are vital, are mere entries made by the Revenue Department for the purpose of collection of taxation. Introduction of those documents in a title suit would not assist the Court in any way. It is for the defendants to argue before the Trial Court and to prove to the satisfaction of that Court that a title suit cannot be decreed on the basis of revenue records alone. For the said purpose, re-opening of an evidence, when the matter has reached the stage of arguments is not necessary.

10.With the above observations, these Civil Revision Petitions stand dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
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24.03.2026

Note : Issue order copy on 27.03.2026

To

The Additional District Munsif, Aruppukkottai.



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V. LAKSHMINARAYANAN, J.

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