



C.R.P.(MD) No.588 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2026

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THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

**C.R.P.(MD) No.588 of 2026
and
CMP(MD) No.2729 of 2026**

1.Kamala

2.Amudhavani

3.Rajadurai

... Petitioners

vs.

1.Kalaiselvi

2.Saranya

3.Vinoth

... Respondents

PRAYER: Petition filed under Article 227 of the Constitution of India, to set aside the order dated 19.02.2026 made in IA No.5/2026 in OS No.111/2022 on file of District Munsif Court, Vadipatti, Madurai District.

For Petitioners :Mr.R.G.Shankar Ganesh



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ORDER

This Civil Revision Petition has been filed challenging the order dated 19.02.2026 made in IA No.5/2026 in OS No.111/2022 on file of the District Munsif Court, Vadipatti, Madurai District.

2.The plaintiffs are the Civil Revision Petitioners.

3.O.S.No.111 of 2022 is a suit for declaration and other reliefs. Summons were served on the defendants. The defendants had taken a plea that the alleged 'WILL', dated 20.12.2020, that is said to have been executed by one late Ramachandran is not genuine. The plaintiffs assert the genuinity of the 'WILL' and the defendants are denying the same.

4.All the plaintiffs have entered into the witness box and have completed their evidence. When the suit was posted for the evidence of the defendants, the defendants sought to produce 3 records, which had not been filed along with the list of documents. They are the medical bills, final bill as well as the lab report of the testator, dated 22.12.2020. As the documents had not been referred to in the written statement or in the list of documents, the defendants took out an



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application seeking leave of the Court to bring those documents on record.

5.This petition was objected to by the plaintiffs stating that the records have been concocted and that can be received only through the author of the documents and not by the defendants.

6.The learned District Munsif invoking Order VIII Rule 1A of the Code of Civil Procedure granted leave to the defendants and permitted the documents to be received. Insofar as the objection as regards the admissibility or relevancy of the document is concerned, the learned District Munsif had left it open for the plaintiffs to challenge the same at the time of marking the said documents. Aggrieved by the same, the plaintiffs are on revision.

7.I heard Mr.R.G.Shankar Ganesh, for the petitioners.

8.Mr.R.G.Shankar Ganesh reiterated the objections that he had raised before the trial Court.



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9.The scope of enquiry in this revision can only be confined to whether the leave granted by the learned District Munsif to the defendants to bring the documents on record, is erroneous.

10.Mr.R.G.Shankar Ganesh faces two formidable positions of law. First, the order passed is on in the exercise of discretion by the learned District Munsif. Unless and until, the discretion has been exercised in an illegal or a capricious manner, it cannot be revised in exercise of powers of this Court under Article 227 of the Constitution of India. All orders, which are processual in nature, cannot be subjected to revision. Only such orders, which affects the rights or liabilities of parties and, which are contrary to the settled position of law, require to be interfered with (see, ***Shalini Shyam Shetty Vs. Rajendra Shankar Patil, (2010) 8 SCC 329***)

11.Furthermore, the learned District Munsif has referred to a judgment of the Supreme Court in ***Levaku Pedda Reddamma Vs. Gottumukkala Venkata Subbamma, Civil Appeal No.4096 of 2022, dated 17.05.2022***, to conclude that depriving a party of right to bring forth certain evidence would lead to denial of justice. It shows that the learned District Munsif has applied his mind to the facts of



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the case as well as to the law applicable and has concluded that the documents may be received.

12.Insofar as the objection that the documents are forged, not connected with the suit and are attempted to be marked, not through the author of the document, is concerned, the learned District Munsif had left it open to the parties to raise an objection at the time of marking of those documents. The view taken by the learned District Munsif is in line with the verdict of the Supreme Court in ***Bipin Shantilal Panchal Vs. State of Gujarat and another, (2001) 3 SCC 1.***

13.Confirming the liberty granted by the learned District Munsif, the Civil Revision Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

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

03.03.2026

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The District Munsif, Vadipatti, Madurai District.



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V. LAKSHMINARAYANAN, J.

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