



C.R.P.(MD)No.1086 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2026

CORAM

THE HONOURABLE **MR.JUSTICE V.LAKSHMINARAYANAN**

C.R.P.(MD)No.1086 of 2026

and

C.M.P.(MD)No.5076 of 2026

Naveennagar

... Petitioner

vs.

1.Dr.Sekaran

2.Dr.Divya

3.Dr.Yogesh

4.Iraniyan

5.Branch Manager,
Bank of Baroda,
Periyakulam Road,
Theni.

6.The Tahsildar,
Theni.

7.The District Collector,
Theni.

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the petition and order dated 23.01.2026 made in I.A.No.8 of 2025 in O.S.No.31 of 2014 on the file of Sub-Court, Theni, by allowing the Civil Revision Petition.



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C.R.P.(MD)No.1086 of 2026

For Petitioner : Mr.M.Mohamed Ibram Saibu
For M/s.Ajmal Associates

For R-6 & R-7 : Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

Heard Mr.M.Mohamed Ibram Saibu for M/s.Ajmal Associates for the Civil Revision Petitioner and Mrs.D.Farjana Ghoushia, learned Special Government Pleader for the respondents 6 and 7.

2. The petition filed to reopen the evidence for the purpose of examining attesting witness to a settlement deed and a mortgage deed came to be dismissed. Hence, the revision.

3. Under Section 68 of the Indian Evidence Act, examination of attesting witness would be essential only if the execution of the document is denied. It is the case of the plaintiff that the Civil Revision Petitioner has no right, title or interest over the property for him to execute a mortgage deed or a settlement deed. The relief sought for in O.S.No.31 of 2014 is for a declaration that the settlement deed and the mortgage deed are not binding on the plaintiffs. When such a relief is sought for, the issue of examining the attesting witness does not arise at all.



C.R.P.(MD)No.1086 of 2026

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4. Hence, the valiant efforts of Mr.Mohamed Ibram Saibu is a wasted one. The Civil Revision Petition stands **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.

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

17.04.2026

To:

The Sub-Court, Theni.



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C.R.P.(MD)No.1086 of 2026

V.LAKSHMINARAYANAN, J.

Nsr

Order made in
C.R.P(MD)No.1086 of 2026

17.04.2026