



CRP(MD). No.2651 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 20.02.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

**CRP(MD). No.2651 of 2025
and CMP(MD).No.15581 of 2025**

Kanagaraj ... Petitioner
Vs.

1.Angammal

Karuppaiah (Died)

2.Kalaiselvi

3.Janarthanan

4.Seethalakshmi

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order dated 25.08.2025, in I.A.No.5 of 2025 in O.S.No.29 of 2024, on the file of the learned District Munsif Cum Judicial Magistrate Court, Viralimalai.

For Petitioners : Mr.R.Suriyya for
M/s.KB Law Office

For Respondents : Mr.A.Balakrishnan



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ORDER

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This Civil Revision Petition has been filed seeking to set aside the order dated 25.08.2025 passed in I.A.No.5 of 2025 in O.S.No.29 of 2024 on the file of the learned District Munsif-cum-Judicial Magistrate Court, Viralimalai.

2.Heard the learned counsel appearing for the petitioners as well as the learned counsel appearing for the respondents and perused the materials available on record.

3.The learned counsel appearing for the petitioners submitted that the third defendant in the suit sought to examine one Mr.Selvaraj as a witness for the purpose of marking certain documents. Accordingly, an application was filed before the trial Court seeking permission to summon the said Selvaraj. However, the said application was dismissed by the trial Court on the ground that the documents sought to be marked through Selvaraj are only public documents, namely the Death Certificate, Legal Heirship Certificate, Settlement Deed standing in the name of the second and third defendants, as well as the Patta and UDR



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Patta standing in their names. The trial Court held that such documents could very well be marked by the third defendant himself.

4.The learned counsel appearing for the respondents submitted that since the documents sought to be marked are public documents, the third defendant could have marked the same at the time of his chief examination during trial. It was further submitted that the application filed before the trial Court does not contain any averment explaining the necessity for examining Selvaraj for the purpose of marking the said documents. Therefore, the order passed by the trial Court does not warrant any interference by this Court.

5.The only point that arises for consideration is whether the said documents can be marked only through Selvaraj?

6.As rightly pointed out by the learned counsel appearing for the respondents, there are no averments in the petition explaining as to why the said documents should necessarily be marked through Selvaraj. There is no legal impediment for the petitioner, who is the third defendant, to



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mark those documents by examining himself. Therefore, this Court finds no infirmity in the order passed by the trial Court.

6. Accordingly, this Civil Revision Petition is dismissed as devoid of merits. No costs. Consequently, the connected miscellaneous petition is closed.

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

20.02.2026

TM

To

1. The District Munsif cum Judicial Magistrate, Viralimalai.
2. The Section Officer,
E.R. Section/V.R. Section,
Madurai Bench of Madras High Court, Madurai.



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N.SENTHILKUMAR, J.

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