



C.R.P.(MD)No.12 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.01.2026

CORAM

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

C.R.P.(MD)No.12 of 2026

A.R.Jayaraman

... Petitioner

-VS.-

- 1.Amalanathan
- 2.Muthamil Mani
- 3.S.Sridhar
- 4.Amutha
- 5.C.Shanthi
- 6.C.Anand
- 7.R.Susibala
- 8.S.Pushpamala
- 9.S.Aruljothi
- 10.S.Anitha
- 11.Vivek Nathan
- 12.Vikram Nathan
- 13.Vishnu Nathan
- 14.Varun Nathan

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India to direct the learned Additional Subordinate Judge, Tirunelveli, to order for return of documents sought for by the petitioner in R.P.No.39 of 2025 in



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O.S.No.58 of 2009 taking note of dismissal of the suit by this Court in S.A. (MD)No.318 of 2018 in respect of the property relates to Item No.2 of Schedule 2 of the suit schedule property without insisting for service of notice on the respondents.

For Petitioner :Mr.J.Anandhavalli

ORDER

The present Civil Revision Petition has been filed to direct the learned Additional Subordinate Judge, Tirunelveli, to order for return of documents sought for by the petitioner in R.P.No.39 of 2025 in O.S.No.58 of 2009 taking note of dismissal of the suit by this Court in S.A.(MD)No.318 of 2018 in respect of the property relates to Item No.2 of Schedule 2 of the suit schedule property without insisting for service of notice on the respondents.

2.Heard Mrs.J.Anandhavalli, learned Counsel for the Revision Petitioner.

3.The learned Counsel for the petitioner submitted that the suit filed by the first respondent was decreed with regard to schedule 1 and the trial Court



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had dismissed the suit with regard to schedule 2. In the first appeal preferred by the first respondent/plaintiff, the decree passed by the trial Court was confirmed. In the second appeal preferred by the first respondent/plaintiff, this Court has disposed of the said Second Appeal and insofar as Item No.2 of the Schedule-2 is concerned, the Second Appeal was dismissed. Hence, the petitioner herein has filed a petition under Order XIII Rule 9 and Section 151 of CPC to return the original documents marked as Ex-B13, Ex-B14, Ex-B15, Ex-B16 and Ex-B18 before the Additional Subordinate Court, Tirunelveli. However, the learned Additional Subordinate Judge, Tirunelveli, without ordering the said petition, has issued notice to the respondents.

4.It is the contention of the learned Counsel for the petitioner that the application for return of original documents ought to have been ordered by the trial Court, as it is not a subject matter of final decree. The learned Counsel for the petitioner further submitted that the Court below has committed an error in ordering notice to the respondents in the application for return of documents. The Court below has committed an error by ordering regular notice and that the Court below may direct the petitioner to replace the document by certified



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copies and should have given the original documents to the petitioner. Hence, the learned Counsel for the petitioner seeks indulgence of this to direct the learned Additional Subordinate Judge, Tirunelveli, to order for return of documents sought for by the petitioner in R.P.No.39 of 2025 in O.S.No.58 of 2009, without insisting notice on the respondents.

5.Considering the limited scope of the prayer sought for by the petitioner, this Court is inclined to pass the following order:

(1)The learned Additional Subordinate Judge, Tirunelveli, is directed to pass appropriate orders in the petition filed by the petitioner in R.P.No.39 of 2025 in O.S.No.58 of 2009 without issuing notice to the respondents and shall return the original documents, as sought for by the petitioner in R.P.No.39 of 2025 in O.S.No.58 of 2009, by following due process of law. The entire exercise shall be completed within a period of one month from the date of receipt of a copy of this order.

(2)The Civil Revision Petition is disposed of accordingly.

(3)No costs.



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(4)The Registry is directed to return the original petition in R.P.No.39 of 2025 in O.S.No.58 of 2009, if any filed, forthwith to the learned Counsel for the petitioner, by following due process of law.

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

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To

The Additional Subordinate Judge, Tirunelveli.



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N.SENTHILKUMAR, J.

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