

**IN THE COURT OF PRINCIPAL DISTRICT JUDGE,
CHENGALPATTU DISTRICT.**

Present : **Thiru.T.Chandrasekaran, M.L.,**
Principal District Judge,
Chengalpattu.

Thursday the 20th day of November, 2025

I.A.No.4/2024
in
O.S.No.30/2017

Kuppammal

. . . Petitioner / Plaintiff.

/Vs/

1. Chellammal
2. Sundari
3. Shanthi
4. N.Viswanathan
5. Mungamuru Madhu Sudana Reddy
6. Challa Chinnapa Reddy
7. Shaik Karimullah
8. Shaik Jaffer Mohiddin
9. Syed Majar @ Syed Madar
10. Syed Kamruddin
11. Akram
12. Ambru Krishna
13. The Panchayath President,
Meiyur Village Panchayat, Meiyyur,
Maduranthagam Taluk.

. . . Respondents / Defendants.

This petition came up before me for final hearing on
15.10.2025, in the presence of Thiru.S.Balamurugan, Advocate for the

petitioner and Tv1.P.Shankar Babu and K.Sivakumar, Advocates for the respondents 5, 8 and 12, Thiru.Edwin, Advocate for the 4th respondent and the other respondents remained ex parte in the suit, upon hearing the arguments of both side counsel, perusing the entire records and having stood over the matter for consideration till this day, this court delivers the following,

ORDER

This petition is filed by the petitioner / plaintiff under Rule 74 of CRP to direct the Principal Sub Judge, Chengalpattu, relating to the partition deed No.1269/1990 dated 17.5.1990 which was handed over the II Joint SRO, Chengalpattu to the Principal Sub Judge, Chengalpattu as per I.A.No.49/2006 in O.S.No.69/2004 on the file of Principal Sub Judge, Chengalpattu, so as to enabling the petitioner to file petition for appointment of Advocate Commissioner to send the said Book to the expert opinion.

2. The averments set out in the petition filed by the petitioner briefly read as follows :

The schedule mentioned property was owned and possessed by Duraisamy as he derived right and title from Narayanasamy under registered deed No.1464/1950 on the file of Joint SRO, Chengalpattu. The said Duraisamy Naicker during his life time had executed a Will in favour of his two daughters namely (i) Kuppammal, the petitioner herein and (ii)

Chellammal the 1st respondent herein in respect of the suit property. After his death, the petitioner and the 1st respondent took possession and were in enjoyment of the same without effecting any partition till today. After performance of marriage, the petitioner and her family got shifted to Vembedu Village, Thiruporur Taluk, and she is residing thereon along with her family. Likewise the 1st respondent had got marriage with one Raji Naicker and she is residing in the village where suit property is situated along with her family till today. Since the petitioner has been residing away from the suit property, the 1st respondent and her husband Raji Naicker planned to grab the undivided share of the petitioner in the suit property, therefore executed the alleged fraudulent and impersonated, forged sale deed as if the petitioner had sold the property to Raji Naicker, husband of the 1st respondent on 6.7.1987 under registered deed No.1809/1987 in respect of an extent of 0.53 cents in survey No.408/2 in Meiyyur Village. No such sale was made by the petitioner.

2 (ii) The 1st respondent and her husband Raji Naicker also have created a forged partition deed as if the petitioner and 1st respondent have entered into partition in respect of the suit property on 17.5.1990 under registered deed No.1269/1990 and as if the petitioner put her thumb impression in the said deed. In order to prove the fraudulent act and forgery act of the 1st respondent and her husband, the petitioner has already filed a petition under Section 75 CRP to direct the II Joint SRO, Chengalpattu,

to produce the thumb impression book relating to the alleged fraudulent sale deed and partition deed to this court and the same was allowed directing the II Joint SRO, Chengalpattu, to produce the thumb impression book of the both documents to this court. After receipt of summons from the court, one thumb impression book (xerox copy) was produced relating to the sale deed dated 6.7.1987 and a reply was given that the another thumb impression book pertaining to partition deed dated 17.5.1990 was handed over to the file of Principal Sub Judge, Chengalpattu as per the Order in I.A.No.49/2006 in O.S.No.69/2004 by way of letter, which is also necessary to be produced before this court as already claimed by the petitioner. Hence, the petition.

3. The averments set out in counter filed by the respondent 5, 8 and 12, briefly read as follows :

The petition is not maintainable in law. The original partition deed dated 17.5.1990 will be with one of the sharers in the above said partition deed. Hence, the II Joint SRI, Chengalpattu, could not produce the original partition deed dated 17.5.1990 before the Principal Sub Judge, Chengalpattu in I.A.No.49/2006 in O.S.No.69/2004. If really the registered partition deed dated 17.5.1990 is forged, then the petitioner / plaintiff ought to have not sold the properties in survey No.27/2 and survey No.46/1 to one Saraswathi under a registered sale deed dated 17.5.1990. Moreover the husband of the petitioner / plaintiff is the attestor and also attesting witness

in the registered sale deed dated 6.7.1987. In order to threaten and extract money from the purchasers, the petitioner / plaintiff has filed the above suit with all sorts of false allegations. There is no necessity to direct the Principal Sub Judge, Chengalpattu, to produce the partition deed dated 17.5.1990 before this court. Hence, prayed for dismissal of petition.

4. The point for consideration is :

Whether the learned Principal Sub Judge, Chengalpattu, has to be directed to produce the Thumb Impression Book which is kept in his possession?

5. On point :

Heard both sides. Perused the records. The petitioner / plaintiff has already filed an application in I.A.No.2/2022 for the same relief now sought for in the present petition, but under Section 76 of CRP, however the same was not pressed. Later, the petitioner / plaintiff has filed another application in I.A.No.3/2022 for the same relief which the petitioner / plaintiff now sought for and it was allowed on 22.9.2023. As per the said Order dated 22.9.2023, the II Joint SRO, Chengalpattu, by way of a Letter dated 7.2.2024 in No.71/2024 has produced the Thumb Impression Book relating to the document No.1809/1987 and has stated that the Thumb Impression Book relating to document No.1269/1990 had already been submitted before the Principal Sub Court, Chengalpattu, in respect of I.A.No.49/2006 in O.S.No.69/2004.

6. Even though the present petition is the 2nd petition as argued by the respondents' counsel, in this application, the petitioner is praying for the said Thumb Impression Book submitted before the Principal Sub Court, Chengalpattu. This petition is consequential to the reply given by II Joint SRO, Chengalpattu, dated 7.2.2024. Therefore, it is necessary to call for the Thumb Impression Book relating to document No.1269/1990 which is now available in *Principal Sub Court, Chengalpattu, in respect of I.A.No.49/2006 in O.S.No.69/2004.*

7. In the result, petition in I.A.No.4/2024 is allowed. The office is directed to address the learned Principal Sub Judge, Chengalpattu, to send for the Thumb Impression Book produced in their court in respect of I.A.No.49/2006 in O.S.No.69/2004. No costs.

Typed to my dictation, corrected and pronounced by me in open court, on this the 20th day of November, 2025.

Principal District Judge,
Chengalpattu.

Both side witness and exhibit :
Nil.

Principal District Judge,
Chengalpattu.