

IN THE COURT OF DISTRICT MUNSIF, VADIPATTI, MADURAI DT.

Present : Thiru. M.P. Ramkishore, B.E., BL., (Hon's)

District Munsif, Vadipatti

Dated this the 20th day of February 2026

IA. No.04/2026

in

O.S. No.101/2018

CNR. No.TNMD190001212018

1. M. Ananthan,

S/o. Late. V. Muthuirula Kone

---- Petitioner / Plaintiff

/Versus/

1. V. Kannuchamy,

S/o. Veeranakonar

2. S. Parvathi,

W/o. V. Kannusamy

---- Respondents / Defendants

This petition was filed before this Court on 16.02.2026 coming before me for final hearing on 20.02.2026, Advocate Thiru. B. Murugan appeared for the petitioner / plaintiff, and Advocate Thiru. K. Santhanakaruppasamy appeared for the respondents / defendants. Upon hearing the arguments advanced on both sides, upon perusing the available material records, this Court has delivered the following....

ORDER

1. This petition was filed to summon Tasildar, Vadipatti to produce revenue records, FMB and A register for the suit properties and the four side neighboring properties.

2. **Gist of the Petition:**

The petitioner had pleaded as the main suit was filed for permanent injunction. As the suit was pending for cross continuation of defendant, the defendant's wife filed impleading petition in I.A. No. 582/2021. Despite the objections of this petitioner, the petition was allowed. The respondents had no right in the suit property and in its east and west side properties. The north and south of the suit property was bounded by passage. But the respondent / defendant was claiming possession in the northern side of the suit property. Hence it is necessary for the petitioner / plaintiff to summon the Tahsildar Vadipatti, to produce the revenue document for the suit property and its neighboring properties to disprove the contention of the respondents / defendants.

3. **Gist of the Counter:**

The respondents denied the entire petition averments and pleaded that the petitioner had dragged on the main suit for almost 9 years, even then filed this frivolous petition to drag this suit further. The petitioner without proving his case had filed this petition to summon the Tahsildar, Vadipatti to produce documents on his behalf. The suit property itself did not belong to the petitioner, in such juncture without any merit, the petitioner had sought to produce the revenue documents for the four boundaries of the suit property. The patta for the suit property was already marked as Ex.A.15. Hence this petition is only liable to be dismissed.

4. Both the sides did not file any documents in this proceeding.

5. **Point to be determined:** Whether this petition is to be allowed or not?

i. The main suit was filed for permanent injunction and the main suit was pending for further plaintiff side evidence. In such stage this petition was filed by the petitioner / plaintiff to summon Tahsildar, Vadipatti to produce revenue documents for the suit

properties and its neighboring properties. The main contention of the petitioner was that the respondents / defendants claim to be in northern side of the suit property hence to disprove such contention this petition was filed. On the other hand, the respondent challenged this petition was devoid of merits and need to be dismissed.

ii. Records perused. On considering both side pleadings, it is clear that the main suit was filed by the petitioner / plaintiff seeking injunction against the respondents / defendants as not to disturb the petitioners possession in the suit property. In such juncture, it is necessary for the petitioner / plaintiff to prove his possession and the disturbance made by the defendant in the suit property. The possession of the respondents / defendants on the northern side of the suit property was not at all an issue in the present suit. Hence the petitioner / plaintiff shall not attempt to produce evidence regarding matters that were not at all in issue or relevant facts.

iii. Further the petitioner had filed this petition under order 16 rule 6 of C.P.C. to summon the Tahsildar, Vadipatti to produce documents. In order to summon any person as witness, the petitioner had to disclose the purpose of summoning the witness under order 16 rule 1(2) of C.P.C. In this petition the petitioner had sought to summon the Tahsildar, Vadipatti to produce revenue documents for the suit properties and to its neighboring properties. As pointed out by the learned respondent side counsel during his argument, the above documents were public documents accessible to everyone in the revenue department website. In such scenario, the petitioner / plaintiff ought to state the specific reason for summoning the Tahsildar to produce the public document instead of producing it by the petitioner himself.

iv. From the above discussions, it is clear that the petitioner had filed this petition without any merit and hence it cannot be allowed. Considering the fact that the suit was filed in the year 2018, issues were framed in the main suit on 01.07.2019 and as the Hon'ble High Court had directed this court to dispose this case in time frame, the petitioner / plaintiff was not proceeding with the suit expeditiously and was filing such frivolous petition, this court is inclined to dispose this petition with cost of Rs.2000/-

6. ***In the result***, this petition is dismissed with cost of Rs.2000/-. Cost shall be paid to the contesting respondent on or before the next hearing of the main suit.

Dictated to the Steno Typist typed by her directly on the computer, corrected and pronounced by me in the open court this the ***20th day of February 2026.***

District Munsif,
Vadipatti.

Petitioner side witness and documents : Nil

Respondents side witness and documents : Nil

District Munsif,
Vadipatti.

DISTRICT MUNSIF COURT
Vadipatti
FAIR ORDER /~~DRAFT ORDER~~
IA. No.04/2026
in
O.S. No.101/2018
Date : 20.02.2026