

IN THE COURT OF THE DISTRICT MUNSIF, TIRUTTANI

**Present : Tmt. R.D. Gurulakshmi, M.A., M.L., P.G.D.I & C.L.,
District Munsif, Tiruttani.**

Dated the Monday of 8th Day of June 2026

I.A.No.13/2026 in OS.No.43/2015

(CNR.No.TNTR21-000069-2015)

G.Jayaseeli	...	... Petitioner/ Plaintiff
	/ Vs/	
S. Amavasai		... Respondent/ Defendant

This petition came up before me for the final hearing on 01.06.2026 in the presence of M/s. M. Mohan Raju, G. Sivakumar, Counsels for Petitioner/ Plaintiff, M/s. V.S. Velayudham, Counsel for Respondent/ Defendant, upon hearing both sides and having stood over for consideration till this day, this court delivered the following:

ORDER

This petition is filed under Section 75 of Civil Rules of Practice to issue the witness summon to the Tahsildar, Tiruttani to cause production of revenue records mentioned in the petition.

1. Petition averments in brief:-

The suit was posted for further plaintiff side evidence. The suit property is gramanatham house site. The petitioner is having patta for the said property. The defendant challenging the petitioner's title to the suit property and disputing patta to the suit property. The petitioner wants to summon issue to Tahsildar, Tiruttani to produce revenue records with regard to the suit property and also adjacent S.No.184/21 and to give evidence on the said documents. Therefore the petitioner filed this petition.

2. Counter filed on behalf of the respondents in brief:-

(a) The petition is not maintainable either in the eye of law or on facts. The averment in para No.3 and 4 are false and denied. The petitioner/plaintiff did not take

steps for getting certified copies from Tahsildar, Tiruttani in respect of petition mentioned documents. The petitioner never applied any certified copies and she straightaway filed this petition. As per section 75(3) of Civil Rules of Practice summon shall not be issued unless the production of the original is necessary or certified would not be granted. As per section 76 of Civil Rules of Practice a party may apply to the court where the suit is pending for the issuance of certificate to enable him to obtain certified copy of public document for being filed into court. When the petitioner can get the certified copy from the Government, there is no need to sent for those documents.

(b) The witnesses summoned by the petitioner are not necessary to prove the contents of the document. The petitioner filed this petition only to drag on the proceedings. The petitioner could have filed those documents by getting certified copied from the officials. Hence this petition has no merits and same is not in accordance with section 75 and 76 of Civil Rules of practice. The petitioner filed this vexatious petition to delay of the case and there is no bonafides reasons stated in the petition. If this petition is allowed this respondent will be put into much loss and hardship. Hence this petition has to be dismissed with cost.

3. **Point for determination:-**

Whether the petitioner is entitled to the relief as prayed for? or not?

4. Heard both side. According to the petitioner, the suit property is gramanatham house site. The petitioner is having patta for the said property. The defendant challenging the petitioner's title to the suit property and disputing patta to the suit property. Therefore the petitioner wants to issue summon to the Tahsildar, Tiruttani to produce revenue records with regard to the suit property and also adjacent S.No.184/21 and to give evidence on the said documents. Hence the petitioner prays to allow the petition.

5, Respondent resisted the petition by contending that the petitioner did not take steps for getting certified copies from Tahsildar, Tiruttani in respect of petition mentioned documents. The petitioner filed this petition only to drag on the

proceedings. The petitioner could have filed those documents by getting certified copied from the concerned officials. The petitioner filed this vexatious petition to delay the case. There is no bonafides reasons stated in the petition. Hence, this respondent prays to dismiss the petition.

6. On perusal of records, the case was posted for plaintiff side further evidence. At the stage this petition was filed. The petitioner stated that to prove her case she wants to issue summon to the Tahsildar, Tiruttani to produce revenue records with regard to the suit property and also adjacent S.No.184/21 and to give evidence on the said documents. But the respondent filed his counter and stated that the petitioner has no bonafide merits seeking to issue witness summon to examine Tahsildar, Tiruttani and he is unnecessary witness to this case. Only the petitioner has to produce the public documents after obtaining certified copies.

7. The petitioner cannot seek remedy through this petition without approaching competent authority. Since the petition mentioned documents are public documents and that are easily obtained from the competent authority, this application presented for seeking to summon the Tahsildar, Tiruttani is absolutely unnecessary and has been filed to drag on the proceedings. More over, this Court relied upon a judgment in S. Arumugamsamy Vs. C.M. Raju on 8 January 2019 held that,

"Under 2 Rule 75 Sub Clause (3) of Civil Rules of Practice mandates that in case an applicant intends to summon a Public Officer, it will satisfy itself that the applicant has made an application for certified copies of the said documents and only when such certified copies have not been issued, the Court shall issue such summons. In the instant case, there is no reason adduced in the application as to the necessity for summoning the Tahsildar ad for letting in evidence with regard to the public documents and they are no averments the petitioner had filed the application seeking produce the public documents. That being the case, the petitioner may not be justified in seeking summoning the Tahsildar for proving his case."

8. As per the above said judgment the petitioner is not entitled to summon the Tahsildar, Tiruttani to prove her case without obtaining the copies of public documents by following proper procedure. The suit was filed in the year 2015 and

pending for more than 11 years. Hence considering the facts and circumstances, this Court is of view that this petition is liable to be dismissed.

In the result, this petition is dismissed. No cost.

Dictated to my Steno – Typist, typed by her directly in computer, corrected and pronounced by me in open court, this the 8th day of June 2026.

District Munsif,
Tiruttani.

Petitioner and Respondent side Exhibits and witness: NIL

District Munsif,
Tiruttani.