



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2026

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1623 of 2026

AND

CMP NO. 7592 OF 2026,CMP NO. 7594 OF 2026,CRP NO. 1625 OF 2026

1. Joseph Esaiyan
S/o. Joseph, No.19/9, Jeeva Street, West
Tambaram, Chennai-600 045.

Petitioner(s)

Vs

1. Shree Kariyakkal
W/o. C.Soorankurumans, Old No.31B,
New No.28, Thiruvalluvar Street,
Srinivasa Nagar, New Perungalathur,
Chennai-600 063

2.Latha
W/o. Rajendran No. 3/301, M.I.G.
Mullai Nagar Chennai 45

Respondent(s)

CRP No. 1625 of 2026

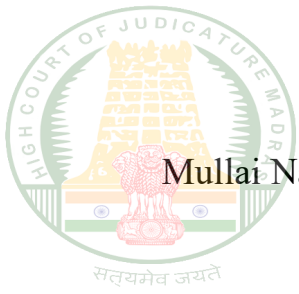
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PRAYER

To set aside the order pertaining to the issue of the decreetal and fair order made in I.A. No 4 of 2025 in O.S No. 292 of 2009 on the file of District Munsif at Tambaram, dated 10.12.2025

CRP No. 1625 of 2026**PRAYER**

To set aside the order pertaining to the issue of the decreetal and fair order made in I.A. No 3 of 2025 in O.S No. 292 of 2009 on the file of District Munsif at Tambaram, dated 10.12.2025

CRP No. 1623 of 2026

For Petitioner(s): MR.D.Ashokkumar

For Respondent(s):

COMMON ORDER

The present Civil Revision Petitions have been filed challenging the common order passed by the District Munsif, Tambaram, in I.A. Nos. 3 & 4 of 2025 in O.S. No. 292 of 2009, dismissing the petitioner's applications to reopen the defendant's side evidence and to summon the Revenue Divisional Officer (RDO), Tambaram.

2. The learned counsel for the petitioner submitted that the suit property's identity is in question, as the boundaries mentioned in the petitioner's sale deed differ from those described in the suit schedule. It is further submitted that since the property falls under the Natham Land Tax Scheme, the RDO is the



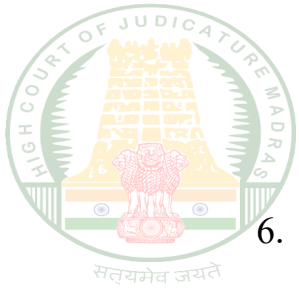
competent authority to depose regarding the issuance and validity of the patta.

The petitioner contends that the Trial Court's refusal to grant an opportunity to examine the revenue official has resulted in a miscarriage of justice.

3. Heard the learned counsel for the petitioner and perused the materials available on record.

4. It is an admitted fact that the suit property is covered by a Joint Patta relating to Natham land, which has not been set aside by any competent authority. The issuance of the patta and the boundaries are under dispute, the evidence of the revenue officials and the production of the relevant revenue records are essential to decide the suit on its merits. This Court is of the view that if the petitioner is denied the opportunity to examine the relevant official, his right to a fair trial and his ability to defend the suit effectively would be prejudiced. While the RDO, Tambaram, is a necessary witness, he/she need not appear in person. It is sufficient if the RDO deposes a competent subordinate official, well-versed with the Natham Land records, to appear and depose before the Trial Court along with the necessary original documents.

5. In light of the above, the common order passed by the Trial Court in I.A. Nos. 3 & 4 of 2025 is hereby set aside, and the applications are allowed. The Trial Court is directed to reopen the defendant's side evidence and issue summons to the RDO, Tambaram, to depute a competent official as directed.



6. In the result, these Civil Revision Petitions are allowed. No costs.

Pending petition, if any, is closed.

21-04-2026

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The District Munsif at Tambaram.

2. The Section officer, V. R Section, High Court, Madras.



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T.V.THAMILSELVI J.
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