

IN THE COURT OF PRINCIPAL DISTRICT MUNSIF, POONAMALLEE

**Present: Tmt.K.M.Kalaiaarasi,M.L.,
Principal District Munsif,
Poonamallee**

Monday, the 6th day of June, 2022

**I.A.No.1/2022
in
O.S.No.214/2017**

1. N. Guru
2. B. Aswathi
3. C.Kalaiyaran

.... Petitioners/ Defendants

versus

Sohanlal

.... Respondent / Plaintiff

This petition has been heard in the presence of **Mr.M.V.Seshachari**, Advocate for the petitioners / defendants, **Mr.D.ThanigaiVasan**, Advocate for the respondent/plaintiff and having perused the entire records and evidence and this petition having stood over for my consideration till this day, this Court delivered the following

Order

1. The Petitioner filed this petition under Order 8 Rule 1A(3) and Section 151 of C.P.C to receive the documents.

2. Brief facts in the petition as follows :

The petitioners stated that the documents produced along this petition are vital to prove his case. Non-filing of those documents are neither wilful nor wanton. If this petition is not allowed it will cause irreparable loss and injury to them. Therefore, he sought permission of this Court to receive the same and condone the delay in filing at a later point of time. The petitioner sought for allow this petition.

3. Brief facts of Counter filed by respondent/Plaintiff as follows:

The respondent / plaintiff denied all the averments in the petition as false except those which are specifically admitted by them as true. The respondent contended that the documents produced with this petition are obtained by fraudulent and illegal means. The reasons stated by the petitioners for delay is not sustainable. The respondents contended that the petition is not maintainable and subject to be dismissed.

4. Point for Determination:-

1. Whether the petitioners are entitled to the relief as claimed by them?

5. Both the petitioners and respondent / plaintiff have not adduced any oral and documentary evidence.

6. Heard and Records Perused.

The petitioner claimed that the document mentioned in the petitioners is vital to his

case. Therefore, he sought for permission of this Court to receive the same. The respondent contended that the documents mentioned in the petition are obtained by illegal and fraudulent means. A perusal of petition as well as documents produced show that the documents are registered ones and certified copies of those documents produced. The relevancy and admissibility of the documents can be decided at the time of marking of documents. The objection regarding documents can be raised by the respondents at the time of marking of those documents. On considering the petitioners must be accorded with an opportunity to produce all documents in support of their case in order to sustain their defence, this Court comes to the conclusion that leave should be granted to the petitioners and documents should be received subject to proof and relevance.

7. RESULT :

In Result, this petition is allowed, No costs.

This order is directly typed by me in the official computer and corrected, printed out and pronounced by me in the open Court on this the 6th day of June, 2022.

**Sd/- K.M.Kalaiarasi, M.L.,
Principal District Munsif,
Poonamallee.**

Both sides Witnesses and Exhibits: Nil

**Sd/- K.M.Kalaiarasi, M.L.,
Principal District Munsif,
Poonamallee.**