

In the court of III Additional District Judge, Coimbatore

Present: Thiru A.K. Babulal, B.Com., LL.M.
III Additional District and Sessions Judge,
Coimbatore.

Thursday, the 16th day of July, 2026

I.A. No. 19 of 2026
in
O.S. No. 549 of 2015
(CNR.No.TNCBO1-001753-2015)

P. Shanmugam

.. Petitioner/20th defendant

/Vs./

Rajammal

.. Respondent/Plaintiff

This petition coming on 15.07.2026 for final hearing before me in the presence of Thiru. K. Appusamy, Advocate for Petitioner/20th defendant and of Thiru A.M. Selvaraj, Advocate for the respondent/plaintiff and upon hearing the argument on both sides, upon perusing the petition and connected records and having stood over for consideration, this court delivered the following:

ORDER

This petition filed by the petitioner/20th defendant under Order 8 Rule 1A(3) r/w section 151 of CPC to receive the Additional documents.

2] **Petition averments in brief:**

The petitioner is the 20th defendant in the suit. The suit is pending before this court, the petitioner contest the suit by filing a detailed written statement. The petitioner had applied for certified copies of certain relevant documents which are

necessary for the proper adjudication of the issues involved in the suit. However, the certified copies were not made ready and furnished before the date fixed for marking of documents. In the said circumstances, the said documents could not be filed before this court at the appropriate stage and the evidence on his side came to be closed. The certified copies applied for have now been obtained. The said documents are relevant, necessary and material for the effective adjudication of the issues involved in the suit. The non production of the said documents earlier was neither willful nor wanton but solely due to the delay in obtaining the certified copies from the concerned office. Unless the additional documents are received by this court, the petitioner will be put to great hardship and irreparable loss. No prejudice whatsoever will be caused to the respondents if this application is allowed. It is prayed that this court may be pleased to receive the additional documents.

3] **Counter averments in brief:**

The petitioner/20th defendant purposely filed this application stating that he had applied for certified copies of certain relevant documents. It is not a bonafide reason to allow this application. The petitioner applied certified copies only on 12.06.2026 and 13.06.2026 but the case posted day to day as per the directions of the Hon'ble High Court Madras. The document No.1 to 3 and 20 are created by this defendant during pendency of the suit. The documents No. 6 to 9 are not relevant to the suit properties. This petition may be allowed without prejudice to this respondent/plaintiff case and subject to proof and relevancy.

4] The point for consideration in this petition is ***whether for the reasons stated the petition is to be allowed ?***

5] Point :

- i. This petition has been filed by the 20th defendant under Order 8 Rule 1A(3) read with Section 151 CPC seeking permission to receive additional documents and to mark the same in evidence.
- ii. The petitioner submitted that the certified copies of the relevant documents could not be produced earlier as they were not made ready and furnished before the date fixed for marking of documents. It is stated that the certified copies have now been obtained and hence the present petition has been filed.
- iii. The respondent filed a counter stating that the reasons assigned are not bonafide. It is further stated that the petitioner applied for certified copies only on 12.06.2026 and 13.06.2026, when the suit was being conducted on a day-to-day basis as per the directions of the Hon'ble High Court. However, the respondent submitted that the petition may be allowed without prejudice to its rights and subject to proof of the relevance of the documents.
- iv. Considering the submissions and as the documents are sought to be produced for the proper adjudication of the issues involved in the suit, this Court is inclined to receive the additional documents. However, their admissibility and relevance shall be decided at the time of evidence.
- v. Accordingly, this petition is allowed. The additional documents are received, subject to proof of their relevance and admissibility in accordance with law.

In the result,

this petition is allowed. The additional documents are received, subject to proof of their relevance and admissibility in accordance with law. No

Costs.

Dictated to Steno-Typist, directly typed by her in computer, corrected and pronounced by me in Open Court, this the 16th day of July, 2026.

III Additional District Judge,
Coimbatore.

Draft/Fair Order
I.A. No.19 of 2026
O.S. No. 549 of 2015
Dated: 16.07.2026
III ADJ, CBE

