



**IN THE COURT OF THE PRL. CIVIL JUDGE & JMFC AT
GUBBI**

Dated this the 3rd day of December 2025

:PRESENT:

**SRI. KIRAN S.P. B.B.M., LL.B
Prl. Civil Judge & JMFC., Gubbi**

O.S NO: 237/2021

Plaintiff: M.G. Renukaiah

-V/S-

Defendant: M.G. Siddalingamurthy

CAUSE TITLE TO IA No.3

**Applicant: M.G. Siddalingamurthy
(Defendant)
(By Sri. H.L.R.S., Advocate)**

-V/s-

Respondant: M.G. Renukaiah (Plaintiff)

(By Sri. T.N.J., Advocate)

ORDER ON I.A. No.3

The defendant has filed IA No.3 under section 151 of CPC to direct the plaintiff to produce the original palupatti dated 09.02.1978 before the court.



02. In the accompanying affidavit, it is stated that the suit is filed by the plaintiff for permanent injunction against defendant. The case now stands posted for further chief examination of defendant. The Plaintiff is the elder brother of defendant. Plaintiff, Defendant and another brother of plaintiff and defendant have partitioned their joint family properties through unregistered palupatti dated:09-02-1978. The copy of the said unregistered Palupatti is in the custody of the plaintiff, but the plaintiff has not furnished the same before this Hon'ble Court. In the course of cross-examination of PW1, PW.1 clearly admits that the original palupatti was in his custody and there is no problem or trouble to furnish the same before this Hon'ble Court. The said palupatti is very much necessary to adjudicate the dispute between the parties in this suit. Hence, it is just and necessary to issue direction to plaintiff to furnish the said document for effectual adjudication of the matter. If the present application is allowed no prejudice or harm will be caused to the other side, but if the application is not allowed, defendant will be put into great hardship and injury. On these grounds defendant prays to allow the application.

03. Plaintiff has orally objected the present application.

04. Heard arguments and perused the pleadings and materials placed on record.

05. The points that arose for my determination is:



Point No.1: “Whether the defendant has made out grounds to allow IA filed under section 151 of CPC?”

Point No.2: What Order?

06. My answers to the above points are as follows;

Point no.1: In the Negative

Point no.2: As per final Order,

for the following :

:REASONS:

07. **Point No.1:** The plaintiff has filed the suit for the relief of permanent injunction against the defendant with respect to suit schedule property. When the case is posted for defendant evidence, the defendant has filed the present application seeking to direct the plaintiff to produce the original palupatti dated 09.02.1978 before the court.

08. The materials available on record reveal that the defendant has already produced the said document before the court. It is written on that document that four copies were prepared and four persons keep one copies of the same. For sake of convenience the relevant portion of said document is reproduced as under:

ಕೆಳಗೆ ರುಜು ಮಾಡಿರುವ ಪಾಲುಪಟ್ಟಿಯ ರೀತಿಯಾದ ನಾಲ್ಕು ಪಾಲುಪಟ್ಟಿಗಳನ್ನು ಬರೆಸಿ ನಾಲ್ಕು ಜನಗಳಲ್ಲೂ ಒಂದೊಂದು ಇಟ್ಟುಕೊಂಡಿರುತ್ತೇವೆ.



09. The document produced by the defendant reveals that it is the original document. Since the original document which is sought to be summoned by the plaintiff is already produced by the defendant: question of directing the plaintiff again to produce another copy of the said document does not arise. Accordingly point No. 1 is answered in the negative.

10. **Point No.2:** For the aforesaid discussion on Point No.1, this Court proceeds to pass the following:

ORDER

***I.A No. 3 filed by the
defendant under section 151 of
CPC is hereby rejected.***

No order as to costs.

(Dictated to the Stenographer directly on computer, typed by her corrected and then pronounced by me in the open court on 03.12.2025).

Sd/-

**(KIRAN S.P.)
Prl. Civil Judge & JMFC.,
Gubbi.**