

IN THE COURT OF THE DISTRICT MUNSIF, SULUR

Present : Tmt.M.Santhosham., B.Sc., B.L.,

District Munsif, Sulur

Thiruvalluvar year 2056 Visvvasu year, 6th day of Thai

Tuesday the 20th day of January 2026

I.A.No.10/2025

in

O.S.No.5/2021

1. P. Thangavel

2. P. Prabhu

... Petitioners/Defendants

/VS/

1. A. Kuttiammal

2. A. Rajeshwari

3. A. Ramesh

... Respondents/Plaintiffs

This petition is coming on this day for final hearing before me in the presence of Mr.R.Nagarajan, Advocate for the Petitioners/Defendants and Mr.E.Gopal, Advocate for the Respondents/Plaintiffs and upon perusing the records, and this court made the following:

ORDER

This petition filed by the petitioners U/O 8 R 3(A) of CPC to produced the documents mentioned in the petition.

1. The brief averments of the affidavit filed by the petitioners as follows:

1.1. The Petitioner is the 1st Defendant in the above suit. The Respondents/Plaintiffs filed a suit for Permanent Injunction and Mandatory Injunction against the 1st petitioner/defendant and his son. The vital documents relating to the case was already filed xerox copy of document. These documents are

very relevant to prove petitioners/defendants case and to come to a just conclusion. The petitioners/defendants neither negligent nor careless. Now the petitioners/defendants produced documents 1. Sketch issued by Revenue Inspector, Sular Taluk, 2. A Registrar in S.F.No.956/1, 2, 3 issued by Head Quarters Thasildar, Sular, 3. Sketch dated 10.01.2025, herewith produced. Unless these documents are ordered to be received the petitioners/defendants will be put to irreparable injury, loss and hardship. Hence, the petition is to be allowed.

2. The brief averments of Counter statement filed by the 2nd Respondent and adopted by 1st and 3rd Respondents as follows:

2.1. The petition is false, frivolous, vexatious and unsustainable both under law and on the facts of the case. Except the averments which are specifically admitted herein all other allegations contained in the affidavit are denied as false and the petitioner has to prove the same. The petitioners has already marked 02.06.2022 dated document through PW.1 on 12.08.2025 as Ex.B.1 before this court and now petitioner again has come forward with this application to mark the same document without filing RTI Application, hence this document is invalid in eyes of Law.

2.2. There is no merit or bonafide in the petition. The petitioner had suppressed all real facts and the petitioner did not approach this court with clean hands. The petitioner very well aware that there is no valid defence in the suit and now to prolong and cause trouble to this respondents. The petitioners filed all these type of vexatious petition with some irrelevant documents. The petition itself is purely an abuse of process of law. Further petitioners has not pleaded with specific reason to the delay in production of documents. Hence, the petition is to be dismissed.

3. No Witnesses were examined on either side, and no documents were marked as exhibits.

4. Points for Consideration:-

Whether the petition under Order 8 Rule 3(A) of CPC to produce the documents mentioned in petition is to be allowed?

5. Points :-

5.1. The Petition affidavit, counter and the enquiry of both parties were carefully considered. Heard the counsels for both the parties. The suit documents were carefully examined. The main suit is filed for Permanent Injunction and Mandatory Injunction. Now the suit is pending in the stage of DW.1 chief continuation.

5.2. The petitioners stated that, the vital documents relating to the case was already filed xerox copy of document. Now the petitioners/defendants produced documents 1. Sketch issued by Revenue Inspector, Sulur Taluk, 2. A Registrar in S.F.No.956/1, 2, 3 issued by Head Quarters Thasildar, Sulur, 3. Sketch dated 10.01.2025. The Respondents/Plaintiffs objected that, the petitioners has already marked 02.06.2022 dated document through PW.1 on 12.08.2025 as Ex.B.1 before this court and now petitioner again has come forward with this application to mark the same document without filing RTI Application, hence this document is invalid.

5.3. This being the trial court, have to given opportunity to both sides to considered both side oral and documentary evidences. Hence, this court thinks an another opportunity to be given to the petitioners/defendants for marking of documents to establish their case. The documents filed along with the petition it can be receive with subject to proof relevancy and admissibility. Hence, this petition is allowed.

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

Dictated to the Steno-typist and directly typed by her in computer,

corrected and pronounced by me in open court this the 20th day of January 2026.

Sd/M.Santhosham
District Munsif,
Sulur.

List of witnesses and documents on Petitioners side :-

Nil

List of witnesses and documents on Respondents side :-

Nil

Sd/M.Santhosham
District Munsif,
Sulur.

Draft/ Fair Order
I.A.No.10/2025 in
O.S.No.5/2021
Dated:20.01.2026
DMC, Sulur