

IN THE COURT OF THE DISTRICT MUNSIF, SULUR

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

District Munsif, Sulur

Thiruvalluvar year 2056 Visvvasu year, 3rd day of Month of Aadi

Saturday the 19th day of July 2025

I.A.No.18/2025

in

O.S.No.111/2018

1. R.Subbaian (Died)
2. Saroja
3. Sundaresan
4. Sumathi
5. Jayanthi

...Petitioners/Plaintiffs

/VS/

1. Nadarajan
2. Thulasiyammal
3. Ramathal (Died)
4. Gopalsamy
5. Geetha

...Respondents/Defendants

This petition coming for final hearing before me in the presence of Thiru.M.Jayanthinathan, Advocate for the Petitioners and of Tmt.D.Chitra, Advocate for the Respondents and upon perusing the records and having stood over for consideration till this day this Court delivered the following :

ORDER

This petition is filed under order 16 rule 1 of CPC to permit the Village Administrative Officer of Irugur Village as an additional evidence as for the purpose of proving the revenue records.

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

1.1. The main suit is filed by 3rd petitioner/ plaintiff's father who is the 1st plaintiff against the defendants for the relief of declaration. Now the trial has been begin and it has been posted for further plaintiff side evidence. Hence, the petitioners/ plaintiff have to call the Village Administrative Officer of Irugur Village as for the additional evidence for proving of revenue records. Hence, the petition is to be allowed.

2. The brief averments of Counter filed by the Respondents as follows:

2.1. The petition is false, frivolous, vexatious and unsustainable in law and on facts. The petitioners have filed the case seeking for permanent injunction. There is no necessity for the Village Administrative Officer to be examined as a witness. The petitioner must prove the case through documentary evidence. This petition appears to have been filed with the intention of causing delay in the trial. Therefore, the petition deserves 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 16 rule 1 of CPC to permit the Village Administrative Officer of Irugur Village as an additional evidence as for the purpose of proving the revenue records 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. Both sides were

heard, and the case documents were examined. The original suit has been filed seeking declaratory relief and a permanent injunction. The original suit is pending for the plaintiffs' side evidence. The suit documents were carefully examined. On perusal of records the Main suit is filed by the Plaintiff for Declaration and Permanent injunction. The Petitioners/ Plaintiffs have filed a petition seeking to examine the Village Administrative Officer of Irugur Village as for the additional evidence for proving of revenue records. The respondent/defendants strongly objected the same.

5.2. It has been stated that the Village Administrative Officer (VAO) of Irugur needs to be examined regarding the revenue records of the suit property. The respondent has raised objections. Considering the request of the petitioners, and in the interest of justice, the petition is allowed and ordered accordingly.

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 19th day of July 2025.

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

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Dated:19.07.2025

DMC, Sulur