

**IN THE COURT OF THE DISTRICT MUNSIF, SULUR**

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

**District Munsif, Sulur**

Thiruvalluvar year 2056 Visvvasu year, 20<sup>th</sup> day of Thai

Tuesday the 3<sup>rd</sup> day of February 2026

**I.A.No.13/2025**

**in**

**I.A.No.11/2024**

**in**

**O.S.No.168/2019**

K.V. Kupusamy Chettiar

**... Petitioner/Defendant**

**/VS/**

1. K. Velusamy

2. K. Kandhasamy

3. K. Rameshkumar

4. K. Maheshkumar

**... Respondents /Plaintiffs**

This petition is coming on this day for final hearing before me in the presence of Mr. R.Mahesan, Advocate for the Petitioner and Mr.B.Muralidharan, Advocate for the Respondents and upon perusing the records, and this court made the following:

**ORDER**

This petition filed by the petitioner under order 8 Rule 1-A and section 151 of CPC to receive the additional documents to the petitioner/defendant side.

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

1.1. Already this Court ordered to joint trial this suit with O.S.No.72/2020. The petitioner/defendant have filed the suit for the relief of

permanent injunction against the respondents/defendants. The above suit is posted today for examination of DW1. Petitioner/defendant have filing this application for marking of additional document in his side through him. The said additional documents was very important documents for petitioner/defendant to prove his case. The above document was now only, hence petitioner/defendant have filed this application to marking of additional documents through him. Delay of filing this petition is neither wanton nor willful. Unless this petition is allowed petitioner/defendant will be put to much loss and hardship. Hence, this petition is to be allowed.

**2. The brief averments of Counter statement filed by the 3<sup>rd</sup> Respondent and adopted by 1<sup>st</sup>, 2<sup>nd</sup> and 4<sup>th</sup> Respondents are as follows:**

2.1. The petition is false, frivolous, vexatious and not sustainable in law and on facts of the case. This Respondents denies all the averments made in the petitioner's affidavit and the petitioner has to prove of the same. The petitioner herein already filed suit for permanent injunction against this Respondents and 46 others in this court in O.S.No.72/2020. The petitioner is highly influenced person in the society. The petitioner already filed an application in I.A.No.11/2024 to take evidence of PW.1 through the advocate commissioner this petition was allowed on 24.10.2024. The petitioner subsequently filed an another one application in I.A.No.12/2025 on 09.01.2025 to condone the delay document along with only some photograph's this petition also allowed by the court.

2.2. In the mine time the petitioner to take a long time the advocate commissioner not take any evidence of PW.1 and the petitioner not take any steps to record the PW.1 evidence. The unused delay taking advantage of the situation the petitioner filed this another one same application in I.A.No.13/2025 to condone the delay document along with only some additional photograph's along with additional proof affidavit. The petitioner filed the multiple application is the very same aspects.

The petition is an abuse in process of law to drag on the proceeding. The reasons quoted in the Petitioner's affidavit are not true, Hence the petition has to be like a dismissed in liminee.

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 1-A and section 151 of CPC to receive the additional documents to the petitioner/defendant side 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 by the Respondents/Plaintiffs. The original suit is pending for further plaintiff side evidence.

5.2. The petitioner has stated that, Petitioner/defendant have filing this application for marking of additional document in his side through him. The said additional documents was very important documents for petitioner/defendant to prove his case. The respondents objected that, the petitioner already filed an application in I.A.No.11/2024 to take evidence of PW.1 through the advocate commissioner this petition was allowed on 24.10.2024. The petitioner subsequently filed an another one application in I.A.No.12/2025 on 09.01.2025 to condone the delay document along with only some photograph's this petition also allowed by the court. In the mine time the petitioner to take a long time the advocate commissioner not take any evidence of PW.1 and the petitioner not take any steps to record the PW.1 evidence. The unused delay taking advantage of the situation the petitioner filed this another one same

application in I.A.No.13/2025 to condone the delay document along with only some additional photograph's along with additional proof affidavit. The petitioner filed the multiple application is the very same aspects.

5.3. This case is pending in the stage of further plaintiff side evidence. This being the trial court, have to given opportunity to both sides to elucidated both side case before this court. The documents filed along with the petition it can be receive with subject to proof relevancy and admissibility. The validity of the documents will be decided at the time of Judgment. Hence in the interest of justice this court allowed this application.

***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 3<sup>rd</sup> day of February 2026.

Sd/M.Santhosham  
**District Munsif,**  
**Sulur.**

**List of witnesses and documents on petitioners side:-** - Nil

**List of witnesses and documents on Respondent side:-** - Nil

Sd/M.Santhosham  
**District Munsif,**  
**Sulur.**

Draft/ Fair Order  
 I.A.No.13/2025 in  
 I.A.No.11/2024  
 O.S.No.168/2019  
 Dated: 03.02.2026  
 DMC, Sulur