

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

Present : **Tmt.N.Renuga.**, B.A., B.L.,

District Munsif, Sulur

Monday the 3<sup>rd</sup> day of February 2025

**I.A.No.2/2025**

**in**

**O.S.No.820/2017**

1. Sri.K.S.Kandasamy

2. Sri.Durairaj

...Petitioners/ 1<sup>st</sup> and 2<sup>nd</sup> Plaintiffs

/ Vs /

1. Sri.K.S.Subramaniam

2. Sri.Thangaraj

3. Sri.Jayakumar

...Respondents/ 1<sup>st</sup> to 3<sup>rd</sup> Defendants

This petition is coming on this day for final hearing before me in the presence of Mr.N.Saravanakumar, Advocate for the Petitioners and Mr.Thirunavukkarasu, Advocate for the 1<sup>st</sup> Respondent and the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents are exparte in main suit and upon hearing of both parties and upon perusing the records and having stood over for consideration till this day this Court delivered the following :

**ORDER**

This petition filed by the petitioners under order 7 rule 14(2) of CPC to produce the documents.

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

1.1. The petitioners/ plaintiffs filed the main suit for declaration and permanent injunction. During the pendency of the suit, the title of plaintiff ancestor in nature the title deeds of produced in the additional documents and subsequently the petitioners/ plaintiffs purchased a property near to the suit property under doc.No.22084/2022 and during the pendency of the suit the 1<sup>st</sup> defendant had illegally constructed the pathway of the temple and causing disturbance to the plaintiffs for that send legal notice to the 1<sup>st</sup> defendant on 22.01.2021. The documents are clearly

established title of plaintiff and defendants. The petition mentioned documents are very necessary and essential documents for this suit. Hence, the petition.

**2. The brief averments of the counter filed by the 1<sup>st</sup> Respondent as follows:**

2.1. The petition is false, frivolous, vexatious and not maintainable under law and on the facts of the case. The delay in production of the document sought to be received the documents is also not been explained properly.

2.2. According to this respondent the deeds produced by him are irrelevant to this case and they ought not to be received. The other allegation in the affidavit are all absolutely false and imaginary. The petition has no merit and it has been filed to delay the trial of the case. Therefore the petition may be dismissed.

**3. Points for consideration:**

Whether the petition under 7 rule 14(2) of CPC to produce the documents is to be allowed?

**4. Points :**

4.1. Heard the counsels for both the parties. The suit is posted for trial in list on 06.01.2025 and PW.1 examined in chief on the same day the petitioners/ plaintiffs filed this petition to produce the documents. The title of plaintiff ancestor in nature the title deeds produced in the additional documents. This being the trial court, have to given opportunity to both sides to elucidated both side case before this court. Further this being the declaration and permanent injunction of title suit, this court must considered both side oral and documentary evidences. Hence, this court thinks an opportunity can be given to the petitioner/ plaintiff to produce the documents for marking of documents to prove their case.

***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 2025.

Sd/N.Renuga  
District Munsif,  
Sulur.

**List of witnesses and document on petitioners side:**

Nil

**List of witnesses and documents on Respondents side:-**

Nil

Sd/N.Renuga  
District Munsif,  
Sulur.

Draft/ Fair Order  
I.A.No.2/2025 in  
O.S.No.820/2017  
Dated : 03.02.2025  
DMC, Sulur.