

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

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

**District Munsif, Sulur**

Thiruvalluvar year 2056 Visvvasu year, 13<sup>th</sup> day of Masi

Wednesday the 25<sup>th</sup> day of February 2026

**I.A. No.21/2026**

**in**

**O.S. No.937/2017**

1. Deivasigamani (died)
2. Subramaniam (died)
3. Rajamani
4. Shanmugasundaram
5. Senthil Prakash
6. Maheswari
7. Nikila
8. Gowri

**... Petitioners/Plaintiffs**

/VS/

1. M/s. K.P.R. Cotton Mills Pvt.Ltd,
2. K.P. Ramasamy,
3. K.P. Deivasigamani,
4. P. Nataraj

All Defendants are represented by  
their power agent Krishnan

**...Respondents/Defendants**

This petition is coming on this day for final hearing before me in the presence of Mr.V.Raveendran, Advocate for the Petitioners and Mr.S.Chandrasekaran, Advocate for the Respondents and upon perusing the records, and this court made the following:

**ORDER**

This petition filed by the Petitioners under Section 151 of CPC to reopen the plaintiffs side argument for one weeks time.

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

1.1. The 6<sup>th</sup> petitioner is the 6<sup>th</sup> plaintiff in the above suit. The 1<sup>st</sup> and 2<sup>nd</sup> plaintiffs filed the above suit for permanent injunction, declaration and recovery of possession against the respondents/defendants. The above suit was posted on 17.02.2026 for Judgment and for both side argument if any on or before 17.02.2026. The petitioners are filed on application I.A.No.19/2026 to reopen the plaintiff side evidence in order to produce the relevant documents and to depose the evidence regarding the same. Unfortunately this court dismissed the above application on 03.02.2026. Aggrieved by the above order, the petitioners/plaintiffs preferred to file the revision petition before the High Court of Judicature Madras. Further the petitioners have filed copy application for the certified copy of the above order in X.C.A.No.40/2026. The above certified copy not delivery so far. At this juncture this court was posted the above suit for judgment on 17.02.2026, without giving an opportunity to file revision petition against the order in I.A.No.19/26. Therefore petitioners will be prejudiced. The plaintiffs are having good and valid grounds and valid documents to substantiate their case.

1.2. Petitioners further under takes to argue the case immediately. Petitioners are not able to succeed in the proposed revision petition against the order in I.A.No.19/2026. The plaintiffs under takes to submit that they will not protract the suit. In fact the respondents are protract the suit for all these days without any valid reasons. Hence, it is just and necessary to adjourn the argument of the suit, till the certified copy delivered by the court. Unless the court is adjourned the plaintiffs side argument for one week, petitioners will be prejudiced and put to hardship. Hence, the petition is to be allowed.

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

2.1. The petition is false, vexatious and unsustainable in law and on facts of the case. The petitioner is put strict proof of all the allegations in the affidavit except those that are specifically admitted herein. The petitioners/plaintiffs having known that they have no merits in the above case and solely with a view to drag on and protract the suit proceedings had filed an application in I.A.No.19/2026 seeking to reopen the plaintiff's side evidence. The said application was stoutly opposed by these respondents by filing detailed counter statement, upon consideration of merits, the said petition was rightly dismissed by this court. Thereafter, the above case was posted for plaintiff's side arguments. Even at that stage, the plaintiffs were not ready to commence their arguments and thereby causing further delay. Hence, this petition is dismissed.

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

**4. Points for consideration:**

Whether the petition under Section 151 of CPC to reopen the plaintiffs side argument for one weeks time 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 against the defendants. Now this suit is pending for pronouncing of judgment, in this stage the petitioners/plaintiffs filed this petition to reopen the case.

5.2. The petitioners stated that, the petitioners are filed on application I.A.No.19/2026 to reopen the plaintiff side evidence in order to produce the relevant documents and to depose the evidence regarding the same. Unfortunately this court dismissed the application on 03.02.2026. The petitioners/plaintiffs preferred to file the revision petition before the Hon'ble High Court of Judicature Madras. Further the petitioners have filed copy application for the certified copy of the above order in X.C.A.No.40/2026. At this juncture this court was posted the above suit for judgment on 17.02.2026. Without giving an opportunity to file revision petition against the order in I.A.No.19/26.

5.3. The respondents objected that, the petitioners/plaintiffs having known that, they have no merits in the above case and solely with a view to drag on and protract the suit proceedings had filed an application in I.A.No.19/2026 seeking to reopen the plaintiff's side evidence. The said application was stoutly opposed by these respondents by filing detailed counter statement, upon consideration of merits, the said petition was rightly dismissed by this court.

5.4. On perusal of record, the main suit is filed for Declaration and Recovery of possession of Item No.1 of suit property. Main suit is pending for plaintiff side argument. XCA.No.40/2026 delivered on 23.02.2026 to the petitioners. In this suit Hon'ble High Court issued direction to dispose this suit within 4 months. The petitioners/plaintiffs filed this petition to the plaintiffs side argument for one weeks time.

5.5. The main burden of plaintiffs are to prove the suit property is belongs to them and they are entitled for recovery of the property. Further the case is pending more than 16 years now the petitioner come forward with the present application is only to drag the case. However, considering the nature of the case and the importance of a fair trial, this Court, in the interest of justice and to avoid the

multiplicity of the proceedings the present petition is dismissed.

**In the result, this petition is dismissed. No cost.**

Dictated to the Steno-typist and directly typed by her in computer, corrected and pronounced by me in open court this the 25<sup>th</sup> day of February 2026.

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

List of witnesses and document on Petitioner side: - Nil

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

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

Draft/ Fair Order  
I.A.No.21/2026 in  
O.S.No.937/2017  
Dated : 25.02.2026  
DMC, Sulur.