

IN THE COURT OF ADDITIONAL DISTRICT MUNSIF, CUDDALORE

PRESENT: Thiru. V. Jaikumar, M.A., B.L.,
Principal District Munsif, Cuddalore
Additional District Munsif (FAC)
Tuesday, the 19th day of June, 2018.

I.A.No.125/2018 and I.A.No.126/2018 in O.S.No.334/2002

Between

Arulmighu Vamanapureeswarar Temple,
Thirumanikuzhi, rep. by its
Executive Officer.

...Petitioner/Plaintiff

And

1. Adhisakthi Siva Shanmuga Raja
2. The Tahsildar, Cuddalore
3. The District Collector, Cuddalore

...Respondents/Defendants

Counsels on Record :-

For Petitioner	:- Mr. K. Muthukumar
For Respondent 1	:- Mr. S. Ram Mohan
For Respondents 1 and 2	:- Pleader for Government

This petition came up for final hearing before this Court on 18.06.2018 in the presence of learned counsels for both sides and upon hearing their arguments and on perusal of records and having stood over for consideration till this day, this court delivers the following..

COMMON ORDER.

These are applications taken out by plaintiff one to recall PW2 and another to receive documents.

2. The averments contained in the affidavit filed by the Executive Officer are as follows:-

The plaintiff has filed a suit for recovery of possession of temple property and when the case was posted for further evidence on

the side of the plaintiff, the present petitioner have come with certain important document which has to be marked through PW2 by recalling and by condoning the delay in receiving the documents.

3. Separate counters were filed stating that when PW1 himself has admitted in cross examination that there are no documents, and therefore present petition to recall PW2 is not maintainable and more over the documents sought to be received in evidence are all xerox copies of documents which are in admissible in evidence.

4. I have heard the learned counsel appearing on either side.

5. The short question that for arises for consideration is whether these prayers can be allowed.

6. The learned counsel appearing for the petitioner would submit that the documents filed are all copies of registers of temple which are necessary for the day to day affairs. However, he would submit that the original registers will be produced on the day of marking. The court directed him to produce the originals which will be marked as exhibits and if necessary certified copies shall be substituted by receiving originals.

7. Considering the stage of the suit and the documents filed, I am of opinion for these petitions can be allowed.

In the result, these petitions are allowed. No costs.

Dictated to Steno Typist, transcribed and printed out by her and corrected and pronounced by me in open court, on this day, the 19th day of June, 2018.

Principal District Munsif,
Additional District Munsif (FAC)
Cuddalore.

List of witnesses and documents on both sides : - Nil -

Principal District Munsif,
Additional District Munsif, (FAC)
Cuddalore.