

**IN THE COURT OF ADDITIONAL DISTRICT MUNSIF, CHIDAMBARAM**

Present:Tmt.E.Swetha, B.B.A., L.L.B (Hons)  
Additional District Munsif  
Chidambaram

Monday, the 30<sup>th</sup> day of June 2025

**I.A.NO.18/2025**  
**in**  
**I.A.NO.383/2024**  
**in**  
**O.S.NO. 392/2024**

V. Ramakrishnan ... Petitioner/ plaintiff

/Vs/

P. Sithandhan ... Respondent/ Defendant

This petition is coming on 27.6.2025 for final hearing before me in the presence of Thiru.K.Sathiyamoorthy, Advocate for the petitioner and Thiru.B.Saravanan, Advocate for Respondent and upon hearing the argument of both sides and having stood over for consideration till this day, this court delivered the following:

**ORDER**

This petition filed by the petitioner Under Order 7 Rule 14 (3) r/w Section 151 of CPC to receive the document by condoning the delay in filing the same.

**2 The case of petitioner:**

The petitioner is the plaintiff and respondent is the defendant in the main suit. The suit is filed as against the respondent for the relief of permanent injunction. The petitioner is the absolute owner of the property is situated in Cuddalore District in Chidambaram Taluk, in Melasokanathanpettai vilage, in vide S. No.

87/4A – 0.15.50 Ares, 87/8 – 0.11.00 Ares, 60/2B1- 0.19.00 out of 0.25.00 Ares, therefore 0.45.50 Ares of cultivating land which is more fully described in the schedule. The suit property originally belongs to the petitioner and he obtained the suit property by the way of family oral partition. After the oral partition was acted upon the petitioner changed the patta in his name in vide patta no. 169 & 185 to the suit property, after the patta was changed in his name, the petitioner is in possession and enjoyment of the property by cultivating paddy and black grams in the suit property. In the meantime the petitioner sold 0.15 cent out of 0.63 in vide S. No. 60/2B1 to one Muruganantham S/o. Chandrasekaran in vide Doc. No. 2024/ 2000 on the file of SRO at Chidambaram. As per the oral partition in whole S.No.60/2 then S. No. 60/2 is bifurcate as S. No. 60/2B1, 60/2B2, 60/2B3, S. No. 60/2B1 was allotted to the petitioner and the patta no. 185, S. No. 2B2 was allotted for Chandrasekaran the patta no. 466 and S. No. 60/2B3 was allotted for the respondent's father namely Perumal the patta no. 170. The patta is the vital document shows that as per the oral partition the patta was changed to the respondent and the respondent has separate property adjacent to the petitioner property. After filing the counter by the respondent, the petitioner wants to prove his property stands in his name, so the petitioner filed patta documents. The said documents are very essential to prove, the petitioner's possession of the suit property, No hardship will be cost to the respondent, if the petition is not allowed, on the other hand the petitioner will be put irreparable loss and it cannot be compensated at any latter stage. Hence the petitioner prays to receive the petition mentioned documents as additional documents.

### 3. The case of the respondent:

The respondent vehemently opposes the petition filed by the petitioner. The respondent filed the counter in IA. No. 383/2024. He also filed petition to the receive document in IA. NO. 12/2025. Thereafter the respondent without stating valued reason had filed the petition to receive document filed by the petitioner without mentioning date in the documents. The absolute owner of the property is situated in Cuddalore District, in Chidambaram Taluk. In Melasokanathan pettai Village, in vide survey nos. 87/4A 0.15.50 Ares 87/80, 11.00 Ares 60/2B1 0.19.00 out of 0.25.00 Ares, therefore 0.45.50 Ares of cultivating land. The suit property originally belongs petitioner obtained the suit property by the way of family oral partition. After the oral partition was acted upon petitioner changed the patta in petitioner name in vide patta no. 169 and 185 to the suit property, after the patta was changed in his name the petitioner and these documents are not connected to the suit property. Therefore, the petitioner prays for the dismissal of this petition.

4. Now the point for consideration is whether the petitioners are entitled to get the relief as prayed for?

5. On the side of both parties, no oral and documentary evidence was let in.

### Points for consideration:

6. Heard both sides learned counsels. Material records perused. This is the petition filed under order 7 rule 14 of CPC to condone the delay in producing the petition mentioned documents in this court. On perusal of records, it is seen that as per the oral partition in whole S. No.60/2 then S. No. 60/2 is bifurcate as S. No. 60/2B1, 60/2B2, 60/2B3, S. No. 60/2B1 was allotted to the petitioner and the patta no. 185, S. No. 2B2 was allotted for Chandrasekaran, the patta no. 466

and S. No. 60/2B3 was allotted for the respondent's father namely Perumal the patta no. 170. The patta is the vital document which shows that as per the oral partition the patta was changed to the respondent and he has separate property adjacent to the petitioner property. Hence the petition filed by the petitioner to receive the document by condoning the delay in filing the same.

7. On the side of respondent, it is contended that the suit property belongs to petitioner and it was obtained by the way of family oral partition. After the oral partition was acted upon, petitioner changed the patta in his name in vide patta no. 169 and 185 of the suit property, after the patta was changed in his name the petitioner and the alleged documents are not connected to the suit property.

8. It is to be observed that the petitioner herein is seeking the relief only to receive the document so as to substantiate his case. It is implied that the admissibility, proof and relevancy of the document can't be decided in this petition. Furthermore, this court is inclined to allow this petition so as to render substantial justice and for complete adjudication of the issue at hand. Thus, subject to the admissibility, proof and relevancy of the document, this petition is allowed in the interest of justice.

In the result, this petition is allowed. No costs.

Dictated to the steno-typist, transcribed by her and typed in computer, corrected and pronounced by me in the open court this the 30<sup>th</sup> day of June 2025.

(Sd/- E.Swetha)

Additional District Munsif,  
Chidambaram.