

Date: 15.04.2026

I.A.No. 115/2026 and I.A.No.116/2026

in

O.S.No.54/2019

(U/Or.XVIII R.17 & Or.VII R.14(2) CPC)

Common order pronounced:

1. Heard both sides. Petition and counter perused. The petitioner has filed the present petitions to recall PW1 for the purpose of marking additional documents.

2. The suit has been filed for declaration, mandatory injunction and permanent injunction. PW1 was examined in chief on 14.11.2022 and exhibits A1 to A7 were marked and PW1 was cross examined in full on 28.01.2026. When the suit was posted for further PWs, the present petitions were filed.

3. The petitioner has sought to mark the webcopy of the revenue records but this court is not satisfied with the reasons mentioned in the affidavit for producing the documents belatedly. Anyhow the Petitioner has filed this application to recall PW-1 after completion of her cross examination, this court is of the view that one more opportunity may be granted to the

Petitioner for finding out the real controversy between the parties and for fair adjudication.

4. Hence, in the interest of justice with a view to avoid multiplicity of proceedings, this court is inclined to allow this petition. However, considering the fact that the Petitioner has preferred the present petitions after a period of nearly 4 years when the documents were marked, this court is inclined to impose compensatory costs to the petitioner.

In the result, these petitions are allowed on the following conditions

i) The Petitioner shall pay a cost of Rs.1500/- to the counsel for Respondents 1 & 2 on or before 27.04.2026.

ii) The Petitioner shall examine PW1 and mark the additional documents on 27.04.2026.

On the failure to fulfill both the said conditions, this petition shall stand automatically dismissed. For compliance call on 27.04.2026.

Additional District Munsif,
Tittagudi.

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