

**IN THE COURT OF THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE
THIRUPORUR**

PRESENT: Tmt N.Anupriya, B.A.,B.L.,(Hon's)
District Munsif Cum Judicial Magistrate,
Thiruporur.

Thursday, the 04th day of April 2025

I.A.No.1/2024

in

O.S.No.429/2023

1.Gangatharan

2.Kumar

3.Radha

4.Radhakrishnan

...

Petitioners/Plaintiffs

Vs

Mr.Dinesh

...

Respondent/Defendant

This Petition came up before me on 24.03.2025 for final hearing in the presence of Ms.M.Anandeeswaran, learned counsel for Petitioners/Plaintiffs and M/s.Ganesh & Ganesh, learned counsels for Respondent/Plaintiff. Upon perusal of documents and hearing arguments on petitioners side and having stood over for consideration till this date, this court delivers the following.

ORDER

1. The petition is filed under Order VII Rule 14(3) C.P.C seeking permission to file the documents.

2. The brief averments in the petition:

The petitioner filed patta, EB card and house tax receipts in respect of the suit property which are material evidence to prove his case and due to oversight it was not filed earlier. Hence filed this petition.

3. The brief averments in the counter statement:

Petitioners filed this petition to produce certain documents which they failed to produce at the time of filing of the suit in the year 2013. The petition is filed after a period of 10 years. Petitioners have no right to plead oversight after 10 years and documents mentioned in the petition were all available in the hands of petitioners at the time of filing of the suit. They wantonly not placed those documents at the time of filing of the suit. Petitioners are land grabbers and manipulated patta in their favour. They sell property and grab the same under the guise of some manipulated patta. Hence sought to dismiss the petition.

4. The arguments heard on both sides. The entire records perused.

5. Discussion and Findings:

5.1 On perusal of the records, originally the case was filed before the District Munsif, Chengalpattu by the plaintiff for the relief of permanent injunction. After framing of issues, the case was posted for trial. The 2nd plaintiff examined as PW-1 and marked Ex.A-1 to Ex.A-17 and posted for further plaintiff side evidence. At this juncture, the petitioner filed this application seeking to receive documents mentioned in the petition. The documents filed along with this petition are patta, EB card and tax receipts. The suit was filed for the relief of permanent injunction.

5.2 Petitioners/plaintiffs already in the plaint averred that the patta was issued for the suit property. Plaintiffs were paying house tax and obtained electricity connection for the suit property. Plaintiffs in order to prove the same has filed patta, EB card and

house tax receipts. On allowing the application, it will not cause prejudice to respondents.

5.3 On considering the facts and circumstances, the stage of the case, in the interest of justice and to provide an opportunity to substantiate their case and to render proper justice by way of proper adjudication, this court is inclined to allow the application and permitted to file documents mentioned in the petition.

In the result, the petition is allowed. No Costs.

Dictated to Steno-Typist directly, typed by her, corrected and pronounced this order by me on 04th day of April 2025.

District Munsif cum Judicial Magistrate,
Thiruporur.

Petitioners and Respondent side Witnesses and Exhibits – Nill

District Munsif cum Judicial Magistrate,
Thiruporur.