

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

Present: Thiru. **K. Nilavarasan**, B.A,B.L.,
District Munsif Cum Judicial Magistrate, Thiruporur

**I.A.No. 01/2025 and I.A.No. 02/2025
in O.S.No. 153/2022**

Saturday, the 20th day of September Two Thousand Twenty Five

1. I.Ashok Bohara, S/o.Inder Chand Bohara

2. Suraj, W/o.Ashok Bohara

Both are residing at No.204, Triplicane High Road,

Triplicane, Chennai -5.

- Petitioners / Defendants 1 & 2

.Vs.

1. V.Vembuli Ammal, W/o.Varadappa Naicker,

2. V.Elumalai, S/o.Varadappa Naicker,

3. Gangammal, D/o.Varadappa Naicker,

4. Gunasundari, D/o.Varadappa Naicker,

1 to 4 are residing at Thiruvidanthai Village,

Chengalpattu, Kancheepuram District.

- Respondents 1 -4 /Plaintiffs

5. The Sub-Registrar, Thiruporur,

Kancheepuram District.

- 5th Respondent/3rd Defendant

This petition came up for final hearing before this court today in the presence of **M/s.Ralph V. Manohar**, for the petitioners/defendants 1 & 2, and **M/s.T.R. Thara**, for the respondents/plaintiffs 1 to 4, and After carefully reviewing the entire case records and giving due consideration to the matter,

COMMON ORDER

The petitions are filed under Order 18 Rule 17 and section 151 of C.P.C seeking to re-open the defendant side evidence which was closed on 05.03.2025, enabling the petitioners/defendants to produce evidence and pass further suitable orders.

2. The petitioners have stated that due to the unavailability of their previous counsel, they were unable to communicate with him and consequently, could not let in their evidence. Thereafter, they engaged a new counsel, who has been in the process of obtaining the case records and documents pertaining to the suit. Owing to the aforesaid reasons, the petitioner could not produce their evidence within the time granted. Hence, the present petition has been filed to reopen the defendant's side evidence and recall the evidence to enable their examination.

3. Per contra, the respondents/plaintiffs have strongly opposed the petition, contending that sufficient opportunities were already granted to the petitioners to commence their evidence, but they failed to avail the same. It is further submitted that the suit has been pending for nearly a decade and that no further indulgence should be shown.

4. Despite, the strong objections raised by the respondents, this court is of the consideration view that, in the interest of justice, one final opportunity should be afforded to the petitioners to let their evidence, so that the real issued between the

parties may be effectively adjudicated. Upon considering the facts and circumstances of the case, this court is inclined to allow both petitions.

Accordingly, both petitions are allowed. No costs.

Pronounced by me in the open Court, This is the 20th day of September, 2025.

**District Munsif Cum Judicial Magistrate,
Thiruporur.**

Both side witnesses and Exhibit: Nil

**District Munsif Cum Judicial Magistrate,
Thiruporur.**