

IN THE COURT OF DISTRICT MUNSIF AT MADURANTAKAM

PRESENT: Tmt.R.Mahalakshmi., B.A., B.L.,
District Munsif, Madurantakam
Thursday, the 4th day of September, 2025

I.A.No.12/2025, I.A.No.13/2025 and I.A.No.14/2025

in

O.S.No.274/2012

K.N.Baskaran

...Petitioner/Plaintiff

-Vs-

Sathiyaraj

...Respondent/Defendant

This petition coming up for final hearing before me on 28.08.2025 in the presence of Tr.S.Senthilkumaran, counsel for the petitioner and Tr.G.S.Suresh Babu, Advocate for the respondent and upon perusal of records and having stood over for consideration till this day, this court delivered the following,

COMMON ORDER

I.A.No.12/2025

This petition is filed by the Petitioner/plaintiff under Sec.151 of Code of Civil Procedure, to reopen the plaintiff side evidence.

I.A.No.13/2025

This petition is filed by the Petitioner/plaintiff under Order XVIII Rule 17 read with Section 151 of Code of Civil Procedure, to recall the evidence of PW1.

I.A.No.14/2025

This petition is filed by the Petitioner/plaintiff under Order VII Rule 14(3) of Code of Civil Procedure, to receive the additional documents.

2. Brief of petition facts as follows:-

The Petitioner herein is the Plaintiff in the suit. The petitioner states that the Petitioner/Plaintiff filed the suit against the respondent/ defendant for the relief of

declaration to declare sale deed dated 17.03.2010 as null and void and permanent injunction. The Petitioner states that the case was posted for argument and further states that the documents mentioned in the petition were recently received from the revenue officials. The said document are very essential to prove his case. If the petition is not allowed the petitioner will be put to heavy loss and hardship. On the other hand no prejudice will be caused to the Respondents. Hence these petitions are filed to reopen, recall PW1 and to receive the additional documents.

3. Common counter filed by the Respondent/ defendant, in brief:

(i). The Respondent states that this petition is unsustainable in law. All the allegations contained in the petition are denied except those are specifically admitted herein. The respondent further states that when the suit is in the stage of arguments. The petitioner has filed the present petition only to drag on the case proceedings by filing fabricated documents.

(ii). The respondent further states that the predecessor of the plaintiff viz., Gnanakannu @ Gnanamuthu is permanently residing at Chennai. Therefore there is no possibility to grant patta in the name of Gnanamuthu and old patta no.185 stands in the name of Gnanakannu who is the vendor of respondent. Further the respondent states that he had no objection to receive doc.no.1, adangal for the fasali stands in the name of Gnanakannu. The respondent further states that the doc.no.2 and 3 kai chitta are forged and fabricated documents created by the petitioner and hence these petitions are liable to be dismissed with costs.

4. The point for determination is whether these petitions are to be allowed or not?

5. No exhibits were marked and no witness were examined on both sides.

6. Heard both sides and perused the records.

7. On Perusal of records, it is seen that the suit is filed by the Petitioner/ Plaintiff for the relief of declaration to declare the null and void and permanent injunction. It reveals that plaintiff had been given two opportunities to receive the additional

documents and the said petitions are allowed and Ex A6 to A12 were marked. Further additional issues were framed and additional evidence was taken on the side of plaintiff and Ex A13 and Ex A14 were marked. Therefore after giving sufficient opportunity plaintiff side evidence was closed on 14.08.2024. Thereafter the case is posted for defendant side evidence and defendant side evidence closed on 03.03.2025.

8. Successively the suit is posted for arguments and at this stage the petitioner has filed the present petition to reopen, recall PW1 and receive the documents. Further it reveals from records that already on the side of plaintiff patta stands in the name of Gnanakannu S/o.Chellamuthu is marked as Ex A14, chitta is marked as Ex A12 and adangal for the fasali year 1431 is marked as Ex A10. Further the petitioner has not stated any sufficient reason that why he had not chosen to mark the said documents earlier when he was granted sufficient opportunity. Therefore this court considers that the present is petition filed by the petitioners is only to prolong the case proceedings when the suit is in the stage of arguments. Thus considering the year of the suit this court decides that the present petition is devoid of merits and not inclined to allow these petition.

9. In the result, these petitions are dismissed. No costs.

Dictated to the Stenographer, typed by her and corrected and pronounced by me in open court on this the 4th day of September, 2025.

Sd/-R.Mahalakshmi

District Munsif
Madurantakam

Petitioner side witnesses & documents:

NIL

Respondent side witnesses & documents:

NIL

Sd/-R.Mahalakshmi

District Munsif
Madurantakam