

IN THE COURT OF THE DISTRICT MUNSIF AT MADURANTAKAM

PRESENT: Tmt. V. Devapriya, B.Sc.,M.L.,
District Munsif, Madurantakam

Monday, the 31st day of October, 2022

I.A.No. 8/2022

in

O.S. No. 274/2012

K.N.Baskaran

...Petitioner/Plaintiff

-vs-

M.Sathiyaraj

...Respondent/Defendant

This petition coming up before me on 14.10.2022 for final hearing in the presence of, Thiruvallarkal G.V.Sridharan, Karthikeyan, S.Senthilkumaran and K.Priya Ilavarasi, counsel for the Petitioner/Plaintiff and Thiru. G.S.Suresh Babu, counsel for Respondent/Defendant and after hearing the arguments of both sides and upon perusing the materials placed on record, and having stood over for consideration till this day, this court delivers the following,

ORDER

This petition has been filed by the Petitioner/Plaintiff under order VII Rule 14 (3) to receive the petition mentioned documents and to mark the same on the side of the Petitioner/Plaintiff.

2.The averments stated in the petition in brief:

This above suit was posted for marking of documents on the Petitioner/Plaintiff side. The petition mentioned documents are vital to prove the Petitioner/Plaintiff case.

The Petitioner/Plaintiff has got the petition mentioned documents through Right to Information Act. Hence this petition.

3. The averments stated in the Counter filed by the Respondent/Defendant in brief:

This petition is not maintainable under law and on facts. The petition mentioned document are attested by the Village Administrative Officer. The Village Administrative Officer is not a competent authority to issue those documents. The suit property belongs to the Respondent/Defendant and those documents will not decide the case. This petition is filed to drag on the proceedings. Hence this petition is liable to be dismissed with costs.

4. The point for determination is whether this petition is to be allowed or not?

5. No Exhibits marked and no witnesses were examined on both sides

6. Heard both sides and perused the records.

7. The Petitioner/Plaintiff had filed this petition to receive the petition mentioned documents as evidence on his side. The Respondent/defendant had opposed the petition on the ground that the Village Administrative Officer is not a competent authority to issued the documents. This petition is filed simplicitor to receive the documents and the Respondent/Plaintiff has got every opportunity to make their objection at the time of marking of documents. The Petitioner/Plaintiff has filed the original documents and the

document obtained through online. Hence in the interest of justice, this court is inclined to allow this petition on costs.

8. In the result, this petition is allowed on cost of Rs.300/- to be paid by the Petitioner/Plaintiff to the Respondent/Defendant on or before 07.11.2022, failing which, this petition will be dismissed automatically. Call on 07.11.2022.

Dictated to the Stenographer and transcribed by her and corrected and pronounced by me in open court on this the 31st day of October, 2022

District Munsif
Madurantakam

Petitioner side witnesses and documents:

Nil

Respondent side witnesses and documents:

Nil

District Munsif
Madurantakam