

**IN THE COURT OF THE DISTRICT MUNSIF AT MADURANTAKAM**

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

Friday, the 23<sup>rd</sup> day of December, 2022

I.A.No. 10/2022 and I.A.No.11/2022

in

O.S. No. 196/2012

- 1.Nehru Thairiyam
2. Kasthuri
3. T. Rechal Royal

...Petitioners/Plaintiffs

**-vs-**

1. Praveen Kumar
2. Ramnath
3. The Sub-Registrar Office, Madurantakam Sub-Registrar Office.  
Madurantakam Town and Taluk
4. Sasirekha
5. V. Vasudevan

...Respondents/Defendants

This petition coming up before me on 14.12.2022 for final hearing in the presence of, Thiru.M.Paramasivam , counsel for the Petitioners/Plaintiffs and Thiru.M. Tamilmaran counsel for the Respondents/Defendants 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,

**COMMON ORDER**

**I.A.No.10/2022**

This petition has been filed by the Petitioners/ Plaintiffs under section 151 of Code of Civil Procedure to re-open the chief evidence of the PW-1 and to mark the documents.

**I.A.No.11/2022**

This petition has been filed by the Petitioners/ Plaintiffs under order VII Rule 14 (3) of Code of Civil Procedure to grant leave to the Petitioners/ Plaintiffs to receive the petition mentioned document.

**2. The averments stated in the petitions in brief:**

The above suit was posted for further PWs. Some of the documents are omitted to be filed. The old chitta extract for joint patta No.19 is very vital to prove Petitioners/Plaintiffs case. The Petitioners/Plaintiffs had obtained the certified copies of the same recently. Therefore it is necessary to receive the said documents and re-open chief examination of PW-1 to mark the same. Hence these petitions.

**3. The averments stated in the Common Counter filed by the Respondents/ Defendants in brief:**

These petitions are not maintainable under law and on facts. The old chitta filed by the Petitioners/Plaintiffs is not the genuine document and the village name is not mentioned in the Chitta. The Chitta year and the date of printed year differ. Hence these petitions are 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 Petitioners/Plaintiffs had filed these petitions to reopen the chief examination of PW-1 and to receive the petition mentioned document. The Respondents/

Defendants resisted the petition stating the name of the village is not mentioned in the document. The suit property is situated in the Puducherry village, Madurantakam Taluk, Chengalpattu District, erstwhile Kancheepuram District. Perusal of the document filed by the Petitioners/Plaintiffs, reveals that the name of the Village, Taluk and District was not mentioned in the same, as stated by the Respondents/Defendants. Therefore, it cannot be concluded that the said document was issued in respect of the suit property. Further, the nomenclature of the document also cannot be ascertained. Hence, for the foregoing reasons, this court is not inclined to allow this petition.

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

Partly typed by me in my laptop and partly dictated to the Stenographer and transcribed by her and corrected and pronounced by me in open court on this the 23<sup>rd</sup> day of December, 2022

District Munsif  
Madurantakam

**Petitioner side witnesses and documents:**

Nil

**Respondent side witnesses and documents:**

Nil

District Munsif  
Madurantakam