

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

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

Tuesday, the 20<sup>th</sup> day of August, 2024

I.A.No.14/2024

in

O.S.No.196/2012

1. P.Praveenkumar
2. P.Ramnath
3. Sasirekha

...Petitioners/Defendants 1,2 and 4

**-vs-**

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

...Respondents/Plaintiffs

- 4.The Sub-Registrar,  
Madurantakam.

...Respondent/3<sup>rd</sup> Defendant

5. V.Vasudevan

...Respondent/5<sup>th</sup> Defendant

This petition coming up before me on 08.08.2024 for final hearing in the presence of, Thiru. M.Tamilmaran, counsels for Petitioners/Defendants 1,2 and 4 and Thiruvalargal. M.Paramasivam and N.Ganapathi, counsels for Respondents 1 to 3/Plaintiffs and Respondents 4 and 5/Defendants 3 and 5 having been set exparte in the main suit and after hearing the arguments on 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 Petitioners/Defendants 1,2 and 4 under Order XVI Rule 1 and 5 of Code of Civil Procedure, to issue witness summons to Thasildar, Taluk Office, Madurantakam, to produce the Adangal Extract for fasili 1377,1382 and 1385 and 'A' Register Extract (Year 1984) in respect of suit S.No.4/1A, 39 and 40/2 of Puducherry Village, Madurantakam Taluk and to give evidence.

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

The Petitioners/Defendants 1,2 and 4 had already applied for certified copy of Adangal Extract before the Thasildar, Madurantakam for the period from 1960 to 1984, but they have issued only for fasili 1377 and 1382 and 1385. Those Adangal Extracts were already marked as Exhibit-B3 and Exhibit-B5 in O.S.No.119 of 2013. The 1<sup>st</sup> Respondent/Plaintiff had already filed petition to send for the Chitta Extract for Fasili 1380 only and the same is marked through Thasildar. Now, prior to 1380, the fasili 1377 in respect of suit property stands in the name of the grandfather of Petitioners/Defendants 1,2 and 4, Venkatasubba Reddiar. Hence, the Adangal Extract for fasili 1377,1382 and 1385 are very vital documents to prove their case. Hence the petition.

**3. The averments stated in the objection filed by the 1<sup>st</sup> Respondent/1<sup>st</sup> Plaintiff, and adopted by Respondents 2 and 3/Plaintiffs 2 and 3 in brief:**

This petition is not maintainable in law and on facts. The averments in the affidavit, are false. This petition is not maintainable at this stage. The Respondents 1 to 3/Plaintiffs already filed a petition to produce the old patta no.19, in I.A.No.12/2023 and the same was allowed. The adangal extract and A-register extract already filed in O.S.No.119/2013. Without filing copy application in O.S.No.119/2023, this petition is not maintainable. This petition is filed to only drag on the proceedings. There is no merits in this petition. 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 were marked and no witness were examined on both sides.
6. Heard both sides and perused the records.
7. The Petitioners/Defendants 1,2 and 4 had filed this petition on the ground that the documents are in the custody of Tahsildhar, Maduranthakam. The Respondents 1 to 3/Plaintiffs had resisted the petition stating that this petition is not maintainable at this stage and the documents are already filed in the earlier suit.
8. Perusal of records show that the Petitioners/Defendants 1,2 and 4 claim right over the suit property based on the possession of the suit property by their ancestor

one Venkatasubbarao. Further, the Respondents 1 to 3/Plaintiffs had filed a petition in IA No.12 of 2024 to issue summons to the Tahsildhar to produce the document 10(1) Chitta for 1380 fasili (prior to UDR) maintained by Tahsildhar, Madurantakam for S.No.4/1A, 39 and 40/2 of Puducherry Village, Madurantakam Taluk for patta No.19 and the computer patta No.235 and 335 and the same was allowed. Hence this court is inclined to allow this petition in the interest of justice and to resolve the dispute and to prevent the delay in proceedings.

9. In the result, this petition is allowed. No costs.

Typed by me in my laptop, corrected and pronounced by me in open court on this the 20<sup>th</sup> day of August, 2024

District Munsif  
Madurantakam

**Petitioners side witnesses and documents:**

**Nil**

**Respondents side witnesses and documents :**

**Nil**

District Munsif  
Madurantakam