

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

**PRESENT:** Tmt.R.Mahalakshmi., B.A., B.L.,  
District Munsif, Madurantakam  
**Friday, the 12<sup>th</sup> day of January, 2026**  
**I.A.No.16/2025, I.A.No.17/2025 and I.A.No.18/2025**  
**in**  
**O.S.No.232/2012**

Mayavan

...Petitioner/plaintiff

**Vs.**

1. Raman
2. Vijaya
3. Palani
4. Palaniammal
5. Lakshmi
6. Raja
7. Chinnakka (died)
8. Parameswaran (died)
9. Dhanalakshmi

...Respondents/Defendants

This petition is coming up for final hearing before me in the presence of Tr.S.Subramanian, Counsel for the petitioner and of Tr.V.Agoram, Advocate for 9<sup>th</sup> respondent and respondents 1 to 6 called absent and set exparte in main suit and 7<sup>th</sup> and 8<sup>th</sup> respondents having been died and upon perusal of records and having stood over for consideration till this day, this court delivered the following:

**COMMON ORDER****I.A.No.16/2025**

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

**I.A.No.17/2025**

This petition is filed by the petitioner/plaintiff under Order XVIII Rule 17 of Code of Civil Procedure, to recall the PW1.

**I.A.No.18/2025**

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. The brief averments in the petition:-**

The petitioner herein is the plaintiff in the suit. The petitioner states that he filed the suit for relief of declaration and permanent injunction against the respondents/defendants. The petitioner states that the case was posted for arguments. The petitioner further states that the petition mentioned documents are mixed other bundles and hence those documents are very vital to prove his case. If these petition are not allowed the petitioner will be put to heavy to loss and hardship. On the other hand no prejudice will be caused to the respondent. Hence these petition.

**3. Objections filed by the 9<sup>th</sup> respondent/ 9<sup>th</sup> defendant, in brief:-**

(i) The respondent states that this petition is not maintainable in law and on facts. The respondent denies the entire allegations in the affidavit petition as false except those that are specifically admitted herein.

(ii) The respondent states that the petitioner has wantonly not filed the said documents in the earlier stage of the case and further those documents are inadmissible in evidence and cannot be received and marked on the side of petitioner/plaintiff. Further the respondent states that those documents are not related to the suit. Further the respondent states that the 3<sup>rd</sup> document is a public document and the petitioner produced the xerox copy of the same which is not admissible. Further the suit is posted for arguments. Hence the present petitions are not maintainable in law. There is no merits in this petition. Hence these petition 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 the both sides.

6. Heard 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 and for permanent injunction. It reveals that the suit is posted for

arguments. Though the respondent contended that the documents filed by the petitioner is not relevant to the suit property, this court considers that mere marking of document does not ipso facto amount that the content of the document is proved. The evidentiary value of the document will be considered at the time of judgment. Further the respondent contended that 3<sup>rd</sup> document is a public document, but the petitioner has produced only xerox copy of the said document. Therefore this court considers that as per Section 63 of Indian Evidence Act only certified copy of secondary evidence is admissible and hence the document no.3 xerox copy cannot be marked. Therefore this court in order to provide an opportunity for the petitioner for fair trial allows that the petitioner to mark the other documents 1, 2, 4 and 5 except document no.3 and grant liberty for the petitioner to mark the certified copy of document no.3 if available. Further it reveals that these petitions are filed for the second time to reopen, recall and receive the documents. Therefore these petitions are allowed on condition.

**8. In the result, these petitions are allowed on cost of Rs.2,000/- to each petition to be paid by the petitioner/plaintiff to the District Legal Services Authority, Chengalpattu on or before 27.01.2026, failing which these petitions will be automatically dismissed. Call on 29.01.2026.**

Dictated to the Stenographer, typed by her and corrected and pronounced by me in open court on this the 12<sup>th</sup> day of January, 2026

Sd/-.R.Mahalakshmi

District Munsif  
Madurantakam

**List of witness and documents on both side:- NIL**

Sd/-.R.Mahalakshmi  
District Munsif  
Madurantakam