

IN THE COURT OF THE DISTRICT MUNSIF AT MADURANTAKAM

PRESENT: Tmt. V.Devapriya, B.Sc., M.L.,
District Munsif, Madurantakam
Friday, the 25th day of April, 2025

I.A.No.6/2024**in****I.A.No.3/2023****in****O.S.No.82/2023**

Gangadurai

...Petitioner/Respondent
/1st Defendant**-Vs-**

1. V.Vijaya Samundeswari
2. S.Subulakshmi
3. V.Dayalan
4. V.Prasanna
5. V.Sankar Ram

...Respondents/Petitioners/
Plaintiffs

This petition coming up before me on 15.04.2025 for final hearing in the presence of, Thiru.R.S.Renganathan, counsel for Petitioner/Respondent/1st Defendant and Thiru.S.Senthilkumaran, counsel for Respondents/Petitioners/Plaintiffs 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 Petitioner/Respondent/1st Defendant under Order VIII Rule 1-A (3) read with Section 151 of Code of Civil Procedure, to receive the petition mentioned documents.

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

The Petitioner/Respondent/1st Defendant had filed certified copy of documents obtained by him from Taluk Office, Madurantakam and the Sub Registrar Office, Acharapakkam recently after filing his written statement in the above case. The documents now filed with the petition are vital documents to prove his case in the above case. The documents are all public documents obtained from government offices. The said documents are necessary for enquiry of I.A.No.3/2023 in the above case. Hence this petition.

3. The averments stated in the counter filed by the 5th Respondent/5th Petitioner/ 5th Plaintiff and adopted by the Respondents 1 to 4/Petitioners 1 to 4/Plaintiffs 1 to 4, in brief:

This petition is not maintainable in law and on facts. The averments stated in the affidavit are false. The petition mentioned documents are not related to the suit property. The petition mentioned documents 1 to 4 are sale deeds in respect of S.No.477/3, but the suit S.No.478. Hence petition mentioned documents does not disclose the real fact of the suit property. The petition mentioned documents 5 to 7 are FMB for the S.No.476, 477, 478 which is not related to suit property. The petition mentioned documents 8 to 10 are adangal in respect of S.No.476, 477 and 478 in which S.No.478/3A, 4A, 4B stands in name of Respondents/ Plaintiffs. The petition mentioned documents 11 and 12 are the acknowledgment of receipt of the petition given to District Collector, Chengalpattu. After filing the suit, the

Petitioner/Respondent/1st Defendant given vexatious petitions and the same does not bind the Respondents/Plaintiffs. The Petition mentioned documents photos have been created and fabricated by the Petitioner/Respondent/1st Defendant. The petition documents have does not given any right or interest to the Petitioner/Respondent/1st Defendant for the suit property. Hence the documents are not genuine and cannot be marked in the evidence. The petition document were obtained after filing the suit. 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 marked and no witnesses were examined on both sides.
6. Heard both sides and perused the records.
7. The Petitioner/Respondent/1st Defendant had filed this petition to receive the petition mentioned documents. The Respondents/Petitioners/Plaintiffs resisted the petition stating that the documents are not related to suit property and are created by the Petitioner/Respondent/1st Defendant. The Petitioner/1st Respondent/1st Defendant had filed the certified copies of the documents. This petition is filed merely to receive the documents. The objections raised by the Respondents/Petitioners/Plaintiffs cannot be decided at this stage. Hence, in the interest of justice and to avoid multiplicity of proceedings, this court is inclined to allow this petition.

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

Dictated to the Stenographer, typed by her and corrected and pronounced by me in open court on this the 25th day of April, 2025

District Munsif
Madurantakam

Petitioners side witnesses and documents:

Nil

Respondents side witnesses and documents:

Nil

District Munsif
Madurantakam