

IN THE COURT OF THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
DHARMAPURI.

Present: Tmt.U.Monica,M.L.,
Additional District Judge,
Dharmapuri.

Tuesday, this the 17th day of March 2026.

I.A.No.10/2026
in
I.A.No.9/2025
in
O.S.No.168/2023

Palaniappan

...Petitioner /plaintiff

/versus/

1.Success Agri Traders
Kanavayputhur rep by its
partners Rajasekar and
Aravindhini.
2.Rajasekar.
3.Aravindhini.

...Respondents/defendants

This petition is coming on 13.3.2026 for final hearing before me in the presence of Thiru.M.Mahadevan, Advocate for petitioner and Thiru.P.Subramania Siva, Advocate for respondents and upon hearing both side arguments and on perusal of the entire case records and having stood over till this day, this court pronounced the following:

ORDER

The defendant has petition under order 12 and rule 8 of C.P.C.

2. The case of the petitioner in brief is as follows:

i) The defendants have called upon plaintiff to produce the certified copy of

petition and affidavit in CMP.No.3503/2019, CMP.No.3509/2019, CMP.No.2026/2021 and certified copy of alleged cheque complaint and document filed along with the complaint filed by the plaintiff before this Court enabling the respondents/defendants to file their detailed counter.

3. The objection filed by the petitioner/plaintiff for the notice given by the respondents / defendants in brief is as follows:

i) The I.A.No.9/2025 has been filed by the petitioner/plaintiff to amend the plaint. At the time of filing of the above suit, there is a typographical error in the plaint para No.4 in the 4th line it was wrongly typed as C.M.P.No.2026/2021 instead of C.M.P.No.3503/2019. Hence, the amendment sought for is only a typographical error.

ii) The respondents/defendant have given notice to produce the certified copy of Petition and affidavit in CMP.No.3503/2019, CMP.No.3509/2019, CMP.No.2026/2021 and certified copy of alleged cheque complaint and documents filed along with the complaint filed by the plaintiff before this Court is false. Originally the above C.M.P.No.3503/2019, C.M.P.No.3509/2019, C.M.P.No.2026/2021 are disposed on the file of the Judicial Magistrate Court, Pappireddipatti. The respondent/defendant cannot direct the petitioner to produce the certified copy mentioned in the notice. If respondent/defendants require the certified copy of petition and affidavit in C.M.P.No.3503/2019, C.M.P.No.3509/2019, C.M.P.No.2026/2021 and certified copy of alleged cheque complaint and documents filed along with the complaint, they must file copy application and get the certified

copies from the Judicial Magistrate Court, Pappireddipatti. The C.M.P.No.3503/2019 is relevancy of the above suit. C.M.P.No.3509/2019, C.M.P.No.2026/2021 on the file of the Judicial Magistrate Court, Pappireddipatti are not relevant and no way connected with this suit. There is no merits in the notice given by the respondent/defendants and it deserves to be reject in limini.

4. The point for consideration:

Whether the petition is liable to be allowed or not?

5. No oral or documentary evidence adduced on both side. Heard both side arguments.

6. Point:

6.1) The defendants have called upon plaintiff to produce the certified copy of petition and affidavit in CMP.No.3503/2019, CMP.No.3509/2019, CMP.No.2026/2021 and certified copy of alleged cheque complaint and document filed along with the complaint filed by the plaintiff before this Court enabling the respondents/defendants to file their detailed counter.

6.2) The respondent counsel contended that if respondent/defendant require the certified copy of petition and affidavit in C.M.P.No.3503/2019, C.M.P.No.3509/2019, C.M.P.No.2026/2021 and certified copy of alleged cheque complaint and documents filed along with the complaint, he must file copy application and get the certified copies from the Judicial Magistrate Court, Pappireddipatti.

6.3) The plaintiff has filed certified copy of C.M.P.No.3503/2019. The

defendant can very well obtain certified copies of C.M.P.No.3509/2019, C.M.P.No.2026/2021 and certified copy of alleged cheque complaint and documents filed along with the complaint, by filing copy application and get the certified copies from the Judicial Magistrate Court, Pappireddipatti. Hence no merits.

In the result, petition is dismissed.

Dictated by me, typed by the Steno-typist, corrected and pronounced by me in Open Court on this the 17th day of March 2026.

Additional District Judge,
Dharmapuri.

Petitioner Side Witness, Exhibits: Nil
Respondents Side Witness, Exhibits: Nil

Additional District Judge,
Dharmapuri.

Fair Order

I.A.No.10/2026 in
I.A.No.9/2025 in
O.S.No.168/2023
Dated:17.3.2026.