

In the Court of Principal District Judge, Kanniyakumari District at
Nagercoil.

Present : Thiru B. Karthikeyan, B.L.,
Principal District Judge.

Friday, the 20th day of September, 2024.

I.A. No. 1/2024 in OS No.199/2024

Ramesh

... Petitioner/Plaintiff

-Vs-

1. The District Collector,
Kanyakumari District

2. Tahsildar,
Agasteeswaram Taluk

3. Anithakumari

4. Manager

Life Insurance Corporation of India

.. Respondents/Defendants

This petition coming on this day for hearing before me in the presence
of,

Thiru T.V.Balasubramaniam - Advocate for the petitioner

Thiru C. Johnson - Government Pleader for the respondents
1 and 2

Thiru S. Eswara Pillai - Advocate for the 3rd respondent

Thiru K. Retnasamy - Advocate for the 4th respondent

and upon hearing both side and upon perusing the materials available on
record, this court delivered the following :-

ORDER

This petition has been filed by the petitioner under Order VII Rule 14 and Section 151 of CPC, seeking an order to receive the documents filed along with the petition claiming that the documents are highly necessary for proving his side.

2. The 3rd respondent has filed a counter statement. However no serious objection has been raised, except to point out that the petitioner did not choose to produce the same during his chief examination as P.W.1. This apart, also questioned the Will filed along with the petition as fabricated and unregistered, which cannot be admitted or received in evidence.

3. Heard both. Perused the materials on record.

4. **The Point for consideration that arises is :-**

(i) Whether this petition deserves to be allowed?

5. **Point No.(i):-**

It is necessary that all the evidence available with the parties are brought on record for effective disposal of the suit. The suit is still in

the stage of continuation of chief examination of P.W.1. In such circumstances, the filing of the present petition cannot be termed as delayed one. As far as the admissibility of documents are concerned, the same can be looked into at the time of marking the documents. As such, the present petitions deserve to be allowed.

6. In the result, this petition is allowed. The documents shall be marked subject to proof and relevancy and upon production of original of Document No.1.

Dictated to the Steno-typist, transcribed and typed by her, corrected and pronounced by me in open court, this the 20th day of September, 2024.

Sd/-B. Karthikeyan
Principal District Judge,
Kanniyakumari at Nagercoil.

Principal District Court,
Nagercoil.
Fair Order in
I.A.No. 1/2024 in
OS No.199/2024
Dt.: 20.09.2024