

**IN THE COURT OF THE II ADDITIONAL DISTRICT MUNSIF,  
NAGERCOIL.**

**Present : Selvi. V. Sivaranjani, B.A., L.L.B.,**

II Additional District Munsif, Nagercoil  
Saturday, on the 7<sup>th</sup> day of February, 2026.

I.A. No.5 of 2025 in

O.S. No.17 of 2023

**CNR No.TNKK04-000047-2023**

N. Murugesan ... Petitioner/Plaintiff

-vs-

J. Sugin ... Respondent / Defendant

This petition came before this court on 06.02.2026 for a final hearing in the presence of Mr. SA. Kanagasabapathi, learned Counsel for the Petitioner / Plaintiff and Mr. Selvaraj, learned Counsel for the Respondent / Defendant and upon hearing both sides, perusing the case records, and having stood over for consideration till this day, this court hereby delivers the following:

**ORDER**

The Petitioner has filed under Order VII Rule 14 and Section 151 of the Code of Civil Procedure, seeking to accept the documents and mark the same on the side of the petitioner / plaintiff.

2. Gist of Averments in the Petitioner Petition :

The petitioner is the plaintiff in this suit. The petitioner has filed this suit for Permanent injunction. The petitioner was having copy of rough sketch, Sale deed Doc. No.411/2018, Revenue tax, Patta and Possession certificate to prove the case. The above said documents are very important for proving the case and it is highly necessary to mark the same on the side of the petitioner / plaintiff lest the petitioner will be put to irreparable loss and damages and that cannot be compensated by any means. The marking of the documents will not prejudice the suit since the same are related to schedule property. Under the circumstances, it is just and necessary that this court to receive the documents and mark the same on the side of the petitioner / plaintiff, Hence, these petitions are to be allowed.

3. Gist of Averments in the Respondent/Defendant Counter:

All the allegations that are averred in the affidavit accompanying the application are denied as false except those that are specifically admitted herein below. It is submitted that the suit seeking a decree of mere permanent injunction itself is not maintainable under law when title is disputed. Under said circumstance, without establishing the title of the plaintiff permanent injunction cannot be granted in his favour.

4. It is submitted that document numbers 8, 9, 14, 18 and 28 came into existence after filing of the suit and so they cannot have any evidentiary value in deciding the dispute involved in the suit. The document numbers 21 to 24 are alleged to be possession certificates and without examining the person who issued the possession certificates, they cannot be admitted in evidence to prove the case of the plaintiff. The document numbers 24 and 25 which are stated to be permission letters issued by the PWD and Nagercoil Municipality, have no bearing for the determination of the issues involved in the suit. The application is not maintainable under law and hence the same is liable to be dismissed. Hence to accept the counter and dismissed the petition.

5. The point for consideration is whether the above petition has to be allowed or not?

6. Point:

Heard both sides. Records perused. This suit is for Permanent injunction. This petition has been filed by the petitioner / Plaintiff when the suit posted for PW1 Chief continuation in order to receive the documents. The documents sought to be produced are copy of rough sketch, Original Sale deed bearing Doc.No.411/2018, Revenue tax receipts, Patta, Encumbrance certificate, Adankal and Possession certificates.

7. The respondent contended to the above petition that some of the the documents came into existence of after the institution of the suit, some documents related to possession cannot be admitted without examining the person issued and permission letters issued by PWD and Nagercoil Municipality have no bearing for the determination of the issues.

8. Although the Petitioner / plaintiff had not given proper reasons for not filing the documents promptly, the petitioner had stated that this document is necessary to vindicate the plaintiff's case. Hence, despite the contention of the respondent, this court is of the considered view that the petition if allowed will cause no prejudice to the respondent side. In the light of above facts, this court is inclined the allow this petition subject to proof and relevancy .

In the result, this petition is allowed. No cost.

Dictated to the steno-typist, typed by her in the Computer directly, printed, corrected and pronounced by me in open court this the 7<sup>th</sup> day of February, 2026.

II Additional District Munsif  
Nagercoil.

List of witness and documents for Petitioner side : Nil

List of witness and documents for Respondent side : Nil

II Additional District Munsif  
Nagercoil.

*II ADM, Nagercoil.  
Draft/Fair Order  
I.A.No.5/2025 in  
O.S.No.17/2023  
Date: 07.02.2026.*