

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

Present: **Tmt. K. Chithra, B.A., B.L., (Hons)**
I Additional District Munsif,(FAC) Nagercoil.

Thursday, on this the 19th day of February, 2026

IA. No. 7 of 2025

in

OS.No. 188 of 2023

The Perumal Swamy Temple Elanthavilai Oor

Madhusoothanapuram South Village

rep by its President Trustee A.Subramaniam

S/o. Ariyamuthu Nadar

... Petitioner/Plaintiff

-vs-

A.T. Marthandan Alias @

A.T. Rajasekar

S/o. Arikrishna Perumal Nadar

... Respondent / Defendant

This petition came up before this Court on 30.01.2026 in the presence of Advocate Thiru. A. Raveendran, for the Petitioner/Plaintiff, and Advocate Thiru.T.R. Ezhamparithy for the Respondent/Defendant and upon perusing the case records and having stood over for Consideration till this day, this Court delivers the following:

ORDER

1. This Petition was filed Under Order XI Rule 12, 14 Code of Civil Procedure to direct the Respondent to produce the otti Redemption deed.
2. The Petitioner stated that he is the Plaintiff. The defendant is his

Written Statement alleged that he has redeemed the otti deed. But he did not state any other facts of date of redemption, the details of person who redeemed; the person who got otti receipt. To clarify the same this petition was filed as the Redemption of otti deed plays vital role in deciding the merits of case.

3. In Counter, the Respondent denied the statement of redemption of otti deed by him. He alleged that he has no such otti Redemption deed and otti receipt in his custody. Those documents could not be produced without consent of entire family members of Arikrishna perumal. If it is necessary in case to dispose, he would produce in evidence and not on compulsion. Thus he prayed to dismiss the same.

4. Record/Perused Both side enquiry heard.

5. The Respondent/Defendant denied the custody of otti Redemption deed and otti Receipt. Hence there is no prima facie in this petition to direct the Respondent to produce a document which was not in his custody.

6. Beyond these, all other material facts and bundle of facts, were related to the facts in issue of the main case and to be decided after full fledged trial. This court finds no merit in allowing this petition.

7. In fine this petition is dismissed. No costs.

Hand written in the Docket and pronounced by me in Open Court this, the 19th day of February 2026.

Sd/-(K. Chithra)

I Additional District Munsif(FAC)
Nagercoil.

I.A.7/2025
OS.188/2023
Draft/Fair Order
Dated: 19.02.2026