

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

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

II Additional District Munsif, Nagercoil
Monday, on the 16th day of February, 2026.

I.A. No.7 of 2026 in O.S. No.34 of 2023

CNR No.TNKK04-000063-2023

1. Ramasamy
2. Paul Nadar
3. Tamil Selvi
4. Manimegalai
5. Geetha

... Petitioners/Defendants

-vs-

1. Sreeman Narayanaswamy Thirukovil,
Vellaiyanthoppu, rep by its President
C. Retnasigamony.
2. President C. Retnasigamony
3. Secretary R. Suyambulingam
4. Treasurer C. Murugesan

... Respondents / Plaintiffs

This petition came before this court on 07.02.2026 for a final hearing in the presence of Mr. K. Subhakaravl, learned Counsel for the Petitioners / Defendants and Mr. M. Sunilkumar, learned Counsel for the Respondents / Plaintiffs 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 VIII Rule 1A(3) and Section 151 of the Code of Civil Procedure, seeking to receive the documents.

2. Gist of Averments in the Petitioners Petition :

The petitioner is the 2nd defendant in this suit filing this affidavit for and on behalf of the other defendants while this case is posted for defendant's side evidence. The petitioner submits that the plaintiffs have filed this suit for permanent injunction restraining the defendants from disturbing the peaceful possession and enjoyment over the plaint schedule property. In order to vindicate petitioners / defendants case, already petitioners have filed some documents along with the written statement. Apart from those documents petitioners filed an application in I.A.No.6 of 2025 along with 7 documents . But after filing the above said seven documents along with above petition , petitioners received certain documents through Right to Information Act.

3. The petitioner submit that since the schedule documents are recent origin, petitioners were not able to produce it along with the petition filed in I.A.No.6 of 2025. The schedule documents are very vital documents to prove our case without any doubt. Hence, this petition is to be allowed.

4. **Gist of Averments in the Respondents/Plaintiffs Counter:**

The respondents/plaintiffs have filed counter stating that the documents sought to be marked along with the proof affidavit filed by the 2nd defendant are all concocted documents, which are all having no legal validity to substantiate the alleged claim made by the defendants. It is also submitted that the reasons assigned by the defendants alleged in this affidavit that some of the documents collected through RTI application is totally irrelevant and unacceptable one. It is also submitted that one of the alleged documents in connection with the complaint to the police given by the defendants are no relevancy to substantiate this case and unacceptable one. The application is vexatious and frivolous one and it is having lack of particulars. 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 petitioners / defendants when the suit posted for Defendants side evidence in order to receive the documents. The documents sought to be produced are informations received from the Headmaster of S.S.P. Government Higher Secondary School, Edalakudy, Additional Superintendent

of Police, Kanyakumari District and from Revenue Divisional Officer, Nagercoil.

7. The respondents contended to the above petition that some of the documents collected through RTI application is totally irrelevant and unacceptable one. It is also submitted that one of the alleged documents in connection with the complaint given to the police by the defendants are no relevancy to substantiate this case and unacceptable one.

8. Since the Petitioners / defendants have got the above said documents recently after previous application to receive documents from RTI., this court is considered that could not be produced along with above said earlier application. Considering that and the documents seems to be necessary to vindicate the Petitioners / defendants case. Hence, despite the contention of the respondents, this court is of the considered view to receive the documents subject to relevancy and admissible. In the light of above facts, this court is inclined the allow this petition .

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 16th day of February, 2026.

II Additional District Munsif
Nagercoil

List of witness and documents for Petitioners side : Nil

List of witness and documents for Respondents side : Nil

II Additional District Munsif
Nagercoil.

*II ADM, Nagercoil.
Draft/Fair Order
I.A.No.7/2026in
O.S.No.34/2023
Date: 16.02.2026.*