

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

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

II Additional District Munsif, Nagercoil

Tuesday, on the 3<sup>rd</sup> day of June, 2025.

I.A. No.7 of 2025 in O.S. No.208 of 2007

**CNR No.TNKK04-000081-2007**

T. Sudalaiyandi Pillai

... Petitioner / Plaintiff

-Vs-

1. S. Krishnapillai

2. K. Thanupillai

3. O. Iyyappan

4. S. Rajagopal

5. A. Chellappan

6.T. Yogeewaran

7. C.N. Velayuthaperumal

8. N. Padmanathan

9. P. Parameshwaran

10. R. Perumalpillai

Addl.11. Dr. K. Arumugaperumal

Addl.12. M. Subramaniyan

Addl.13. B. Somasundar

Addl.14. Mailerum Perumal

Addl.15. S. Iyyappan

... Respondents/Defendants

This petition came before this court today on 03.06.2025 for a final hearing in the presence of Mr.T.K.S. Maniam, Learned Counsel for the Petitioner / Plaintiff and in the presence of Mr. K. Subhakaravel, Learned Counsel for the Respondents 4 to 15 / Defendants 4 to 15 and 1<sup>st</sup> to 3<sup>rd</sup> Respondents / 1<sup>st</sup> to 3<sup>rd</sup> Defendants were set ex parte in the suit 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 had filed under Order VII Rule 14 and Section 151 of the Code of Civil Procedure, seeking to receive the documents listed below on the side of the plaintiff.

Gist of Averments in the Petitioner Petition :

2. The Petitioner is the Plaintiff in the above suit. The suit is for permanent injunction. The petitioner respectfully submit along with this petition, Petitioner was filing documents in respect of the plaint schedule property is concerned and those documents are vital to prove petitioner's case . The petitioner respectfully submit non filing of the documents in the earlier stage was neither willful nor wanton. The petitioner submit in the above facts and circumstances the documents mentioned in the petition are necessary for

proper adjudication of the case and therefore this court to receive the documents on the side of petitioner, otherwise, Petitioner will be put into irreparable loss and hardship. Hence, the petition is to be allowed.

**Gist of Averments in the Respondents/Defendants Counter:**

3. The Respondents / Defendants have filed counter stating that the petition is unsustainable under. This petition is frivolous and vexatious in nature. The documents sought to be received are irrelevant documents to this case. The documents sought to be received are xerox copies. Hence, the documents cannot be received. The petitioner has not given proper reason for non production of documents at the earliest stage. Hence, it is a belated application. Hence to accept the counter and dismissed the petition.

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

5. Point:

Heard both sides. Records perused. This suit is for permanent injunction. This petition has been filed by the Petitioner / Plaintiff, while the original suit has been adjourned for PW1 Cross continuation. The documents sought to be produced are the xerox copy of Pass book in favour of Plaintiff, 9 Nos. Original Tax receipts and Fixed Deposit receipt. Although the Petitioner / Plaintiff have not given proper reasons for not filing the documents promptly, the petitioner

have stated that those documents are necessary to vindicate the plaintiff's case. Hence, this court is of the considered view that the objection raised by the respondent, regarding the relevancy and admissibility could be decided at the time of exhibiting those documents and that the petition schedule documents could be received subject to proof and relevancy.

In the result, This petition is allowed, without cost.

Dictated to the steno-typist, typed by her in the Computer directly, printed, corrected and pronounced by me in open court this the 3<sup>rd</sup> day of June 2025.

II Additional District Munsif  
Nagercoil.

List of witness and documents for Petitioner 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.7/2025 in  
O.S.No.208/2007  
Date: 03.06.2025.*