

**In the Court of the II Additional District Munsif, Nagercoil**

**Present: Thiru.R.Sundara Kamesh Marthandan, M.L.,**  
II Additional District Munsif, Nagercoil

**Monday, on this 10<sup>th</sup> day of June 2024**

I.A. No.8 of 2024  
in  
Original Suit No. 206 of 2022

S.Sorimuthu

....Petitioner/Plaintiff

-vs-

1. Arulmigu Dharma Vinayagar Devasthanam,

Ethamozhi Vellalar Samuthalyam and rep.

by its President, M.Chidambaram @ Manikandan

2. Arulmigu Dharma Vinayagar Devasthanam,

Ethamozhi Vellalar Samuthayam and

rep. by its Secretary M.Manikavasagam

3. Arulmigu Dharma Vinayagar Devasthanam

Ethamozhi Vellalar Samuthayam and

rep. by its Treasurer M.Selvan

4. Arulmigu Dharma Vinayagar Devasthanam,

Ethamozhi Vellalar Samuthayam and

rep. by its Executive Committee member A.Shanmugam

5. Arulmigu Dharma Vinayagar Devasthanam,

Ethamozhi Vellalar Samuthayam and

rep. by its Executive Committee member C.Aanantham Pillai

.... Respondents/Defendants

These Petitions came up today i.e. 10.06.2024 in the presence of  
Thiru. A.Raveendran Advocate for the Petitioner and Thiru. M.Padmasanan &  
P.Pratheshan Advocate for the 1<sup>st</sup> Respondent and upon perusing the case records, this

Court delivers the following:

**ORDER**

1. The Petitioner had filed the above petition under Order VII Rule 14 and Section 151 CPC seeking to accept the additional documents and mark the same.

2. The Petitioner had stated that he had filed I.A.No. 3 of 2022 for ad interim injunction and obtained ad interim injunction on 25.11.2022. The said was posted for enquiry. The Petitioner had traversed into the merits of the interim injunction in the affidavit filed in support of the above petition and pleaded that the Petition schedule documents has to be received for proving the Petitioner's case. Hence the above petition.

3. The 1<sup>st</sup> Respondent had filed counter stating that the petition filed by the Plaintiff is not maintainable under law and facts. All the documents are irrelevant. The alleged documents are not pleaded in the plaint and inadmissible in law and void documents. The said documents has no bonafide and no connection with the Plaint schedule property. The records which must be filed at the time of filing the suit and filing after the interim orders shows they are fabricated and not admissible. There is no valid ground to allow the petition. The petition is frivolous and not maintainable in law and no scope for the petition. There is no merit in the petition. Hence the Respondents prayed for dismissal of the above petition.

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

5. The suit is in stage of interim applications pending. Issues are not framed and Trial has not commenced. Hence this Court is of the considered view that the Petition schedule documents could be received subject to proof and relevancy.

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

Dictated to the Steno-Typist transcribed and typed by her in computer and corrected and pronounced by me in Open Court, this the 10<sup>th</sup> day of June, 2024.

Sd/-R.Sundara Kamesh Marthandan  
II Additional District Munsif  
Nagercoil.

Petitioner side witness and document :- Nil.

Respondent side witness and document :- Nil

Sd/-R.Sundara Kamesh Marthandan  
II Additional District Munsif  
Nagercoil.

I.A.No.8 of 2024 in  
O.S.No.206 of 2022  
Fair Order  
Date : 10.06.2024