

IN THE COURT OF THE I ADDITIONAL DISTRICT MUNSIF, NAGERCOIL

Present: Thiru. R. Sundara Kamesh Marthandan, M.L.,

I Additional District Munsif, Nagercoil

Thursday, on the 27th day of March 2025

I.A.No.5 of 2025

in

O.S. No. 252 of 2016

CNR No.TNKK04-000497-2016

Elizabeth Mary

... Petitioner/Plaintiff

-vs-

1. Rajakani

2. Kavitha

3. Selvi

4. Suyambukani

...Respondents /Defendants

This Petition came before this Court on 19.03.2025 for final hearing and Mr. K. Subhakaravel, Counsel for the Petitioner and Mr. S. Muthukaruppa Pillai, Counsel for the Respondents. Upon perusing the case records and having stood over, till date for Consideration, this Court hereby delivers the following:

ORDER

1.The Petitioner had filed the above Petition under Order VII Rule 14 Code of Civil Procedure, seeking an order to receive the Petition schedule documents.

2. The Petitioner had stated that the case is posted for Plaintiff side further evidence. For clarifying the suit, the Petition schedule documents are essential. The

Petition schedule documents are important documents. They were filed in another case. Hence they could not be filed earlier, along with the Petitioner's pleadings. Hence the above Petition.

3. The Respondent had filed counter stating that the documents are not necessary for the adjudication of this case. The Petition lacks bonafides. The correctness and validity of the Decree passed against the Petitioner's predecessor, could not be challenged by the successor namely the Petitioner. Hence the Respondent prayed for dismissal of the above Petition.

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

5. Since the Petitioner had stated that the Petition schedule documents are important documents and they were filed in another suit and that they could not be filed along with the Petitioner's pleadings and that the said Claim of the Petitioner is not specifically denied, by the Respondent in their counter, this Court is of the considered view that the Petition schedule documents could be received to subject to proof and relevancy.

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

Dictated to the Steno Typist and transcribed and Typed by her, in the Computer, corrected and pronounced by me, in Open Court this, the 27th day of March, 2025.

I Additional District Munsif,
Nagercoil.

Petitioners' side witnesses & documents : Nil.

Respondent's side witnesses & documents : Nil.

I Additional District Munsif,
Nagercoil.

*I ADM Court, Nagercoil.
Draft/Fair Order in
I.A.No.5/2025 in
O.S.No. 252/2016
Date:27.03.2025.*