

In the Court of the Principal District Judge,
Principal District Court, Kancheepuram.

PRESENT: **Tmt. Deepthi Arivunithi, M.L.,**
Principal District Judge,
Principal District Court ,
Kancheepuram.

Wednesday the 10th day of December 2025

IA.No.3/2024 in O.S. No.71/2021

1. Rajendiran

2. Ayiammal

.. Petitioners/Defendants

Vs

Chinnaponnu

.. Respondent/Plaintiff.

This petition is coming on 17.11.2025 for final hearing before me in the presence of M/s. Geethanjali and T. Selvamani, Counsels appearing for the Petitioners and M/s. B.S. Ramesh, M. Nagaraj, K.P. Sivakumar, S. Siva, S. Bharanidevi, Counsels appearing for the respondent and upon hearing the arguments on both side and upon perusal of records and having stood over the matter for consideration till this day, this court delivered the following

ORDER

Petition filed under Order VIII Rule 9 of CPC to receive the additional written statement filed by the petitioners/defendants.

2. The learned counsel for the petitioners/defendants 1 and 2 would contend as follows. The main suit is filed by the respondent/plaintiff for partition and other

reliefs. The property listed in the schedule are the absolute properties of the defendant herein and her self acquired property. The respondent/plaintiff has also not given any legal notice before filing of the present suit. Certain vital facts have been omitted in the earlier written statement filed by the petitioners/defendants. Hence, that the petition be allowed.

3. The learned counsel for the respondent/plaintiff would contend as follows. The averments made by the petitioners/defendants is denied. Court Fee is appropriately paid before the court and there is no need for any pre suit notice in a case for partition. The averments raised in the additional written statement is only vexatious and does not serve any purpose. Hence, that the petition be dismissed.

4. Upon hearing both sides and have perused the materials on record, this court finds as follows. The present petition is filed to receive the additional written statement on record. The petitioners/defendants 1 and 2 have filed the additional written statement on the ground that certain vital materials have omitted to be stated in the earlier written statement. The main contention is raised with regard to the payment of court fee and the absence of pre suit notice. It is seen that the additional written statement does not alter the case of the petitioners/defendants in any way. Therefore, in the interest of justice and in order to provide an effective opportunity to the petitioners/defendants to contest the suit on merits, this court is inclined to allow this petition on payment of costs.

5. In result, this petition is allowed on condition that a case of Rs.1000/- be paid to the respondent/plaintiff on or before 05.01.2026. Call on 06.01.2026.

//This order has been dictated by me to the Stenographer, transcribed and typed by her in the computer, corrected and pronounced by me in the open Court on this the Wednesday the 10th day of December 2025//

Principal District Judge,
Principal District Court,
Kancheepuram.

Exhibits and Witnesses on both side: NIL.

Principal District Judge,
Principal District Court,
Kancheepuram.

Draft/Fair Order
I.A.No.3/2024 in
O.S.No. 71/2021
D.D. 10.12.2025
Principal District Court ,
Kancheepuram.

