

IN THE COURT OF THE DISTRICT MUNSIF, SRIPERUMBUDUR

Present: Tr.M.Kalimuthuvel,B.Sc.,M.A.,LL.M.,
District Munsif,
Sriperumbudur.

On Monday, this the 30th day of June, 2025

I.A. No.7/2025
in
O.S No.148/2021

Devi

....Petitioner/Plaintiff

/Versus/

1. Anandhan

2. Kumaresan

...Respondents 1 & 2/Defendants

3. Sri Muthukumaran Educational Trust,

Rep.by its Chairperson,

Gomathi.

.... 3rd Respondent / 3rd Defendant

This Petition has come up on 11.06.2025 for final hearing on this day before me in the presence of Mr.D.Thanigai Vasan, learned Counsel for the Petitioner/Plaintiff and Mr.M.K.Murali, learned Counsel for the Respondents 1 & 2/ Defendants 1 & 2 and the 3rd Respondent did not file the counter and upon hearing both side, upon perusing the documents on record and having stood over for consideration till this date, this Court delivers the following:

ORDER

1. This application has been filed under Order 7 Rule 14 (3) of CPC by the Petitioner/ Plaintiff praying for the relief of receive the petition mentioned additional document in OS.No.148/2021.

2. **Averments in the Petition in brief:**

The Petitioner states that he has been filed the main suit for permanent Injunction as against the Respondents herein and The Petitioner has absolutely possessed and peacefully enjoyed the schedule property as a cultivation tenant and the Petitioner's tenancy right over the same were recorded by the Revenue authorities as the registry maintained by them under the TNALRTR Act (TAMILNADU AGRICULTURAL LAND RECORDS OF TENENCY RIGHT ACT 1969) and the same were published in the Tamil Nadu Gazetted Notification as such it is just and Necessary to receive the same as additional documents in plaint and this petition of rejection of plaint and such document was not available with the Petitioner at that time of filing of main suit and obtained the same. If the Petition is not allowed the Petitioner put too much of loss and hardship. Therefore, the Petitioner prayed to allow the Petition for the interest of justice.

3. **Brief Averments in the Counter of the Respondents 1 & 2 :**

This Counter Affidavit is filed on behalf of the 2nd Respondent/2nd Defendant also. At the outset the Respondent states that the Order dated 04.02.2025

passed by this Court in Rejecting the Plaint as such made in O.S. No. 142 of 2021 filed by one Purushothaman may kindly be considered as part and parcel of this Counter Affidavit.

4. Invariably in all the Suits to help the land grabber Sri Muthukumaran Educational Trust, the 3rd Defendant in O.S. No.148 of 2021, and in other Suits are filed by these Plaintiffs, who have filed their respective Suits in O.S. Nos. 142 of 2021, 143 of 2021, 144 of 2021, 145 of 2021, 147 of 2021 and 148 of 2021 namely Six suits. In all these Suits, a vain and inadmissible plea of cultivating tenant is pleaded.
5. By a detailed Judgment of this Court made in O.S. No. 142 of 2021 dated 04.02.2025, similar plea of these persons is found to be wholly incorrect and there is no iota of basis to make such a claim and the suit is also not maintainable. In fact, this Civil Court is barred and lacks Jurisdiction within the frame work of "*The Tamil Nadu Agricultural Lands Record of Tenancy Rights Act 10 of 1969 and The Tamil Nadu Cultivating Tenants Protection Act, 1955.*"
6. This Hon'ble Court having accepted the legal issue to Reject the Plaint in O.S. No. 142 of 2021 necessarily can apply the same Principle with respect to other remaining 5 (Five) Suits 4 also. The contesting Defendants 1 and 2 pray that the same Order can be applied to these Suits also so as to give a quietus to the wasteful pendency of the above suit.

7. In order to avoid such an Order since such Applications to Reject the Plaint stood filed in these Suits and to avoid such an Order, they have filed the above Petition with inadmissible, unauthenticated Xerox copies of cooked-up, self-serving papers under the guise of "documents" and also filed this Petition in terms of Order VII, Rule 14(3) of the Code of Civil Procedure.
8. In fact, in the respective Plaints, there is no averment about the alleged document and further these documents which are filed in Xerox copies shape are not at all connected to this suit. Hence, they are not admissible to be considered at all.
9. Only to avoid the applicability of the Rejection of Plaint Order dated 04.02.2025 made in O.S.No. 142 of 2021 and to drag on this Petition is filed. They are inadmissible in any manner of imagination and not concerned with this suit. These alleged documents which are inadmissible have no bearing on the suit. The aim is to drag on the suit endlessly. In fact, in the Affidavit, it is not ever averred how these "*Documents*" are relevant.
10. Under these circumstances, it is most humbly prayed that this Court may kindly be pleased to dismiss the I.A.No. 7 of 2025 in O.S. No.148 of 2021 as inadmissible which have no relevance and thus render justice.
- 11.Both side heard. Records perused. Both side not produced the oral & documentary evidence in this Petition.

12. Point for Determination:

Whether the Petition deserves to be allowed?

13. Discussion and Reasoning:

The Petitioner filed this Petition under Order VII Rule 14(3) of CPC for sought to permit and receive the documents to the Petitioner and to mark documents in this case in IA No.5/2024.

14. It is noted that the instant application has been filed to mark Petitioner side document in above IA No.5/2024. The Petitioner states that the Petition mentioned documents could not be filed on time of filing plaint. Considering that the Petitioner/ Plaintiff has adduced plausible reasons and having regard to the facts and circumstances of the case in hand and in order to give fair opportunity to the Petitioner/Plaintiff to conduct her case effectively, this Court is inclined to the allow the Petition.

15. In the result, this Petition is allowed and the Petition mentioned document is received as Petitioner side additional document. A copy of the Petition mentioned document shall be furnished to the Respondents/Defendants by the Petitioner/Plaintiff. However, the Petition mentioned document shall be marked in the presence of the Respondents/Defendants or their counsel subject to the Defendants side objections if any and subject to proof and relevancy.

In the result, the petition is allowed without cost.

Dictated to the Steno typist, typed by her in the Computer, corrected and pronounced by me in the Open Court on this the 30th day of June, 2025.

(Sd/- M.Kalimuthuvel)
District Munsif,
Sriperumbudur.

Draft/Fair Order

I.A. No.7/2025 in
IA No.5/2024 in
O.S No.148/2021
D.D.30.06.2025
DMC/SPR.