

IN THE COURT OF THE DISTRICT MUNSIF, SRIPERUMBUDUR

Present: Mrs.Saranya Selvam, B.A.,B.L.,(Hons.) ,

District Munsif,

Sriperumbudur.(FAC)

Tuesday, the 8th day of August 2023

I.A No. 02/2023

in

O.S. No.1190/2008

Sambalammal

.....Petitioner/Plaintiff

/Vs/

1. Tahsildar,

Sriperumbudur Taluk.

2. Revenue Divisional Officer,

Kancheepuram District.

3. The Tahsildar, Land Acquisition,

National Highways, Sriperumbudur.

4. The Special District Revenue Officer,

Land Acquisition, Thiruvallur &

Kancheepuram National Highways.

5. Project Officer, National Highways Authorities of India.

6. Technical Manager,

National Highways Authority of India.

7. Srinivasa Rao.

..... Respondents/Defendants

This Petition has come up for final hearing on this day in the presence of Mr.N.R.Anantha Rama Krishnan & Mr.E.Sridhar Learned Counsels for the Petitioner/ Plaintiff and Mr.M.B.Velmurugan, Learned Counsel for the Respondents/ 1 to 6 Defendants and upon hearing both sides & upon perusing the documents on record and having stood over for consideration till this date, this Court delivers the following:

ORDER

1. The instant Petition is filed by the Petitioner/ Plaintiff under Order 7 Rule 14(1) of CPC praying for the relief of grant of receive the documents detailed hereunder as documents on the side of the Petitioner/Plaintiff.

2. Averments in the Petition in brief:

The Petitioner submits that while preparing for trial noticed that certain documents detailed in the Petition have been omitted due to inadvertence and oversight. It was bonafide mistake. The said documents are subsequent to filing of the suit. Hence could not be filed earlier. The documents are crucial to the Petitioner's case. Hence, prayed to receive the documents.

3. Brief Averments in the Counter filed by the Respondents/1 to 6 Defendants:

The Respondent denies all the allegations except those that are specifically admitted herein. The respect contended that most of the documents filed by Petitioner pertaining to the period earlier to the filing of the suit. These document are irrelevant to the case and unsustainable in the eyes of law. All these days the petitioner kept quiet and filing this vexatious petition for betterment of the suit. Hence prayed for dismissal with cost.

4. Heard both sides & Records perused.

5. Points for Determination:

Whether the Petition deserves to be allowed?

6. Discussion and Reasoning:

The Respondent vehemently contended that certain documents of the petitioner are dated earlier to the suit and are irrelevant to the case. The Petitioner's contention is that by inadvertence he has omitted the said document. Though the Petition is not happily worded. Considering the age of the bundle, this Court deems fit in allowing the petition. The contention with regard to relevancy could be decided

only on appreciation of evidence at the time of trial. In the interest of justice & fairness, this petition is allowed.

In the result, this Petition is allowed with no cost.

Dictated to the Steno-typist, typed by her in the computer, corrected and pronounced by me in the Open Court on this the 08th day August - 2023.

(**Sd/- .Saranya Selvam**)
District Munsif,
Sriperumbudur. (FAC).

Annexure:

Petitioner side & Respondents side Witnesses and Documents: NIL

(**Sd/- .Saranya Selvam**)
District Munsif,
Sriperumbudur. (FAC).