

In the Court of the Principal District Judge, Madurai  
Present: Thiru. S. Sivakadatcham, B.Sc., M.L.,  
Principal District Judge, Madurai

Saturday, this the 7th day of February, 2026.

I.A.No.2/2025 in O.S.No.113/2020

1. K. Muthu Thevar Mukkulathore  
Higher Secondary School Trust  
represented through its President  
Pappathi @ Rajathi
2. D. Pappathi @ Rajathi
3. C. Duraipandian

... Petitioners/Plaintiffs.

/vs/

1. K. Saravanan.
2. R. Kannan
3. M. Subramanian @ Manikandan
4. B. Franklin Devasagayam
5. Sharmila
6. Akhila Maheswari
7. Selvam
8. J. Deepa Lakshmi
9. Jothi Muniyandi
10. Mary Ammal
11. Lakshmanadoss
12. A. Suresh
13. Rajaram
14. Selvakumar
15. P. Vijayabaskaran
16. Saroja
17. Thavamani
18. Shanmuka Vadivu
19. Rukumani Vidhya
20. Angayarkanni
21. Dinesh
22. Pandian
23. Sampath Kumar

24. S. Thanga Marimuthu
25. H. Mahammed Rafi
26. A. Muthu Virumandi
27. P. Saravanakumar
28. S. Ganesan
29. G. Kalaivani
30. R. Lakshmi
31. M. Susila
32. P. Moovendran
33. S. Seethadevi
34. G. Pandithurai
35. R. Ravichandran
36. N. Arumugam
37. N. Balasubramani
38. G. Muniyandi Pandi
39. S. Shanmuganathan
40. T. Ravichandran
41. N. Selvarani

.. Respondents/ Defendants

This petition coming on 04.02.2026 for hearing before me in the presence of Thiru.S. Ramesh, Advocate for the petitioners, Thiru.V.S.Kumaraguru, Advocate for the respondents 1 and 2, Tmt.S.Ananthaselvi, Advocate for 3<sup>rd</sup> respondent, Thiru.K.Muthaiah Pasumpon, Advocate for the respondents 4 to 26, Thiru.R.Muniasamy, Advocate for the respondents 27 to 36, 38, 39 and 41, Thiru. Koodalingam, Advocate for the 40th respondent, R37 and R40 called absent and set exparte in O.S.No.113/2020, upon hearing both sides and having stood over for consideration till this day, this court delivered the following:-

### ORDER

The petitioners have filed this petition under Order 7, Rule 14(2) and Sec.151 of C.P.C., to receive the additional documents, as mentioned in the petition.

2. The averments in the affidavit filed along with petition are briefly as

follows:-

The petitioners have filed the suit against the respondents to declare that the sale deeds executed between the defendants are null and void and other reliefs. The respondents 1 and 2 have filed a suit in O.S.NO.221/2011 on the file of the Principal District Munsif Court, Thirumangalam against the petitioners and the same was dismissed on 20.02.2023. The respondents 1 and 2 have preferred appeal against the above said judgment and decree in A.S.No.26/2023 on the file of the Sub Court, Thirumangalam and the same is pending. The copy of Judgment in O.S.No.221/2011 on the file of the Principal District Munsif Court, Thirumangalam and copy of appeal memorandum in A.S.No.26/2023 on the file of Sub Court, Thirumangalam are necessary documents to this case. Since the above said documents were created after filing of this suit, the petitioners could not file the same along with the plaint. Hence, the petition.

3. The averments in the counter affidavit filed by the respondents 1 and 2, adopted by the respondents 3 to 36, 38, 39 and 41 are in brief as follows:-

The petitioners have filed this suit in the year 2020. The petitioners have not mentioned anything in the plaint about the pendency of suit in O.S.No.221/2011 on the file of the Principal District Munsif Court, Thirumangalam. With an intention to drag on the suit proceedings, the petitioners have filed this petition unnecessarily. The Hon'ble Madurai Bench of Madras High Court directed this court to dispose the suit within the stipulated period. Hence, prayed to dismiss the petition.

**4. The point for determination:**

Whether this petition is to be allowed or not?

5. Both side have not adduced either oral evidence or documentary evidence.

**6. Point:**

The petitioners have filed this petition to receive the additional documents. It is contended on the side of respondents that the petitioners simply stated that they came to know the pendancy of O.S.No.221/2011 in the year 2020 itself, but, the petitioners have not stated anything about the pendancy of the above said suit in the plaint.

7. The learned counsel for the petitioners contended that the respondents 1 and 2 have filed O.S.No.221/2011 against the petitioners for bare injunction before the Principal District Munsif Court, Thirumangalam, which was dismissed on 20.02.2023, against which, the respondents have preferred A.S.No.26/2023 which is pending before the Sub Court, Thirumangalam, now, the petitioners want to file the on-line downloaded copy of Judgment in O.S.No.221/2011 and served copy of appeal memorandum in A.S.No.26/2023. Further, it is contended that the above said suit O.S.No.221/2011 disposed in the year 2023, against which, the respondents have preferred the appeal before the Sub Court, Thirumangalam. The documents mentioned in the petition i.e. copy of Judgment in O.S.No.221/2021 and copy of appeal memorandum in A.S.No.26/2023, which are after filing of this suit. So, the petitioners are justified the reason for non filing of these documents along with the plaint. The reason is acceptable and in the interest of justice and to avoid the multiplicity of proceedings, the petition is liable to be allowed subject to relevancy and proof.

8. In the result, the petition is allowed.

Dictated to the stenographer, transcribed by her, corrected and pronounced by me in open court this the 7th day of February, 2026.

Principal District Judge,  
Madurai.

**List of witnesses examined and documents marked on both sides:** Nil.

Principal District Judge,  
Madurai



