

IN THE COURT OF PRINCIPAL DISTRICT MUNSIF, THIRUMANGALAM
Present: Thiru. C.Dineshkumar, M.A., B.L.,
Principal District Munsif, Thirumangalam

Friday 5th day of August 2022

I.A.No.174/2022

in

O.S.245/2014

1. Radhakrishnan
 2. Subba Reddy
 3. Subburaj
 4. Balasubramanian
 5. Sundarrajan
 6. Chinnakkammal @ Pappammal
 7. Pasupathy
 8. Subbulakshmi
- Petitioners / Plaintiffs

-Vs-

1. Ramanathan
 2. Natarajan
 3. Ramkumar
 4. S.Jayalakshmi
 5. G.Malarpappa
 6. R.Sasikumar
 7. N.Karthik
 8. S.Valarmathi
 9. Lalith
 - 10.R.Dhanalakshmi
- Respondent / Defendants

This Petition coming on 26.07.2022 before me for final hearing in the presence of Counsel Thiru.M.Dhanapandiyam, Advocate for the Petitioners and Thiru.V.Gurusamy, Advocate for the Respondents and upon perusing the Petition, counter and the entire materials available on the records before this Court and having stood over for consideration till this day, this Court delivers the following

ORDER

This Petition has been filed Under Order 18 Rule 17 and Section 151 of C.P.C. to recall the PW1 for marking of documents.

2. The learned counsel for the Petitioners argued that this Petition has been filed to recall PW1 for marking of the 10(1) Chitta stands in the name of Sithivinayagar Temple prior to the UDR, as it is a vital documents in this case and prayed for allowing this application.

3. On the other hand it was objected vehemently that this Petition has been filed in a malafide intention to cause delay in the proceedings and this Petition has been filed without any proper reason and prayed of dismissal of this application.

4. On perusal of case records, it could be seen that an application to receive the above said document of 10(1) chitta prior to the UDR has been filed before this Court in IA No.322/2021 and the same has been allowed by this Court on 05.10.2021. Therefore, the above said document has to be marked through the Plaintiff side witness.

5. Further, this case is pending at the stage of Plaintiff side evidence and therefore, recalling the PW1 and marking the above said document will not cause much delay in the proceedings. Therefore, this Court is inclined to give another opportunity to the Plaintiff side to mark the additional document through the PW1 by allowing this application.

As an outcome, this Petition is allowed, with a condition that the Petitioners shall pay a sum of Rs.500/- to the Respondents' side on or before 22.08.2022, failing which this Petition will be deemed to be dismissed.

Dictated by me to the Steno typist directly in the office computer and the same was corrected by me and pronounced in the open Court on this 5th day of August 2022.

Principal District Munsif
Thirumangalam

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O.S.No.245/2014
Fair-Order
05.08.2022.