



IN THE COURT OF THE DISTRICT MUNSIF OF UDHAGAMANDALAM

Present: **Thiru. L.PRAKASH, B.Sc., B.L.,**
District Munsif, Udhagamandalam

Tuesday, the 7th day of July 2026

I.A. No. 02 of 2026
in
O.S. No. 19 of 2025
(C.N.R. No. TNNS030 - 00042 - 2025)

T. Rajkumar

... Petitioner/Plaintiff

/VS/

1. R. Kumar

2. The Tahsildar
Kundah Taluk, The Nilgiris.

3. The Collector of Nilgiris,
Udhagamandalam, The Nilgiris.

... Respondents/Defendants

This petition came on 03.06.2026 before me for final hearing in the presence of Mr. Syed Hassim Akrath, learned counsel for the Petitioner/Plaintiff and of Respondents/Defendants No. 1 to 3 remains set exparte in main suit, upon considering case records carefully, this court passes the following :

**ORDER**

1. This petition is filed under Order VII Rule 14(3) read with Section 151 of the Code of Civil Procedure, praying to permit the petitioner/plaintiff to file additional documents.

Gist of Petition and affidavit:

2. The case of the petitioner/plaintiff is that he has filed the above suit for bare injunction and had originally filed three documents along with the plaint. He has now sought permission to produce three additional sets of documents, namely, (i) original pesticide and fertilizer purchase bills, (ii) original wholesale vegetable purchase receipts and (iii) a GPS-tagged photograph of the suit schedule property. According to the petitioner, these documents could not be filed earlier as they were not available at the time of institution of the suit. It is further stated that the said documents are crucial to establish his exclusive possession and enjoyment of the suit property. The delay in producing the documents is neither wilful nor deliberate. If the petition is not allowed, the petitioner would be put to great hardship. Hence, the petition.

Counter Statement:

3. The respondents are exparte in the main suit itself and hence no counter has been filed opposing this petition.

Points for consideration:

4. Heard the ex parte submissions of the learned counsel for the petitioner. The petition and the records have been carefully perused. The point that arises for consideration is whether the petitioner has made out sufficient grounds to permit



production of the additional documents under Order VII Rule 14(3) read with Section 151 of the Code of Civil Procedure.

Discussion:

5. On a careful perusal of the records, it is seen that the suit is one for permanent injunction instituted in the year 2025. The defendants failed to file their written statement and were set ex parte on 21.07.2025. Thereafter, the matter was posted for ex parte evidence. On 30.07.2025, the suit was suo motu referred to mediation. Since the mediation ended without settlement, the suit was again posted for further proceedings.

6. Thereafter, on 18.03.2026, the present application came to be filed seeking permission to produce additional documents comprising original pesticide and fertilizer purchase bills, original wholesale vegetable purchase receipts and a GPS-tagged photograph of the suit schedule property.

7. Order VII Rule 14(3) of the Code of Civil Procedure empowers the Court to receive documents which were not produced along with the plaint, provided sufficient cause is shown for such non-production. The provision is intended to advance the cause of justice by enabling the Court to have before it all relevant materials necessary for an effective adjudication of the dispute. The procedural provisions are meant to facilitate justice and should not be applied in a manner that defeats substantive rights.

8. In the present case, the petitioner has explained that the documents could not be produced earlier as they were not available at the time of filing of the suit. The explanation appears to be reasonable. The documents sought to be produced relate to agricultural activities allegedly carried on by the petitioner in the suit property and



are stated to be relied upon for establishing his possession, which is the principal issue in a suit for bare injunction. At this stage, the Court is only concerned with the reception of the documents and not with their evidentiary value or admissibility, which are matters to be decided at the time of trial.

9. Further, the respondents have remained ex parte and have not chosen to contest either the suit or the present application. Even otherwise, reception of the documents by itself does not prejudice the respondents, as the documents will still have to be proved in accordance with law before they can be relied upon.

10. It is settled proposition of law that though procedural law should not ordinarily permit parties to fill up lacunae, the Court possesses the discretion to receive additional documents where the ends of justice so require and where no serious prejudice is caused to the opposite party. Further, it is also settled proposition of law that, procedural laws are handmaids of justice and should not be construed so rigidly as to defeat the cause of substantial justice.

11. Considering the explanation offered by the petitioner, the nature of the documents sought to be produced, the stage of the proceedings and the absence of any opposition from the respondents, this Court is of the considered view that sufficient cause has been shown for the delayed production of the documents and that their reception is necessary for the effective adjudication of the issues involved in the suit.

Result:

12. In the result, the petition is allowed. The petitioner/plaintiff is permitted to file the additional documents mentioned in the petition. The reception



of the documents is subject to proof, relevancy and admissibility at the time of trial, in accordance with law. No costs.

This order is dictated to the Typist, typed by her in computer, corrected by me and pronounced by me in the open court on this the 7th day of July 2026.

**District Munsif,
Udhagamandalam.**



Draft/Fair Order:

**I.A. No. 02/2026
in
O.S. No. 19/2025**

Dated: **07.07.2026.**

**District Munsif Court,
Udhagamandalam.**