

**IN THE COURT OF THE DISTRICT MUNSIF OF UDHAGAMANDALAM,
THE NILGIRIS**

**Present: Thiru. L. PRAKASH., B.Sc., B.L.,
DISTRICT MUNSIF, UDHAGAMANDALAM.**

Tuesday, the 09th day of June 2026

**I.A. No. 02 of 2026
in
OS. No. 147 of 2022
(C.N.R. No. TNNS030 - 00173 – 2022)**

1. Belliraj
2. Bheeman
3. Vivekanandan
4. S. Nagulan
5. S. Moorthy
6. S. George

... Petitioners/Plaintiffs

/VS/

1. Mani
2. Chinnamani
3. R. Rajan
4. Niranjadevi

... Respondents/Defendants

This petition came on 03.06.2026 for final hearing before me in the presence of Mr. Pon Ramachandran, learned counsel for the Petitioners/Plaintiffs and of Mr. Mahesh, learned Counsel appearing for the Respondent/Defendant No. 4 and the Respondents/Defendants No. 1 to 3 remains ex parte in the main suit, upon considering the case records carefully, this court passes the following:

ORDER

1. This petition is filed under Order VII Rule 14(3) R/w Section 151 of the Code of Civil Procedure, praying to grant leave and permit the petitioners/plaintiffs to produce the documents mentioned in the list of documents and mark the same as exhibits in the above case.

Gist of Petition and affidavit:

2. The petitioners submit that, at the time of institution of the suit, one of the relevant documents was inadvertently misplaced, while another document came into their possession only subsequent to the filing of the suit. Owing to these circumstances, which were beyond their control, the said documents could not be produced before this Court at the earlier stage of the proceedings. The petitioners further submit that the documents sought to be produced, as listed in the petition, are material and necessary for the proper adjudication of the issues involved in the suit and for substantiating their claim. It is contended that, unless leave is granted to produce the said documents and mark them as exhibits, the petitioners would be put to serious hardship and suffer irreparable prejudice. Hence, the petitioners have filed the present petition under Order VII Rule 14(3) of the Code of Civil Procedure, seeking leave of this Court to receive the documents enumerated in the petition and permit them to be marked as exhibits in the above suit.

Gist of Counter Statement:

3. On the respondent/4th defendant's side, endorsed to allow this petition on heavy cost and the respondents/defendants 1 to 3 remains ex parte in the main suit. Hence the respondents/defendants have not filed any counter statement for this petition.

Point for consideration:

4. Heard both sides, petition, affidavit and case records perused carefully. This petition filed Under Order VII Rule 14(3) R/w Section 151 of the Code of Civil Procedure, seeking grant leave to produce the documents enlisted in the petition and mark the same as exhibits in the above case. The point to be decided in this petition that, whether this petition is liable to be allowed or not as prayed.

Discussion:

5. The petitioners contended that one document was misplaced at the time of filing the suit and another document came into their possession only after institution of the proceedings. Owing to these circumstances, the documents could not be produced earlier before the Court, the documents sought to be produced are material and necessary for the effective adjudication of the dispute. According to them, refusal to permit their production would cause serious hardship and irreparable loss. Hence the application filed invoking the discretionary power of the Court under Order VII Rule 14(3) of the Code of Civil Procedure and its inherent power under Section 151 of the Code of Civil Procedure.

6. It is pertinent to note that the sole contesting respondent/4th defendant has not seriously opposed the present petition and has merely sought the imposition of appropriate costs in the event of the petition being allowed. The respondents 1 to 3, having been set ex parte in the main suit, have not filed any counter statement resisting the relief sought herein. Therefore, there is no effective or substantial challenge to the explanation offered by the petitioners for the belated production of the documents.

7. The object of Order VII Rule 14(3) of the Code of Civil Procedure is to ensure that relevant and necessary documents are brought before the Court, even at a

later stage, provided sufficient cause is shown for their non-production at the time of filing the plaint. Courts generally adopt a liberal approach in such matters when the documents are essential for determining the real controversy between the parties and when no serious prejudice is likely to be caused to the opposite side.

8. Considering the explanation offered by the petitioners, the relevance of the documents to the issues involved in the suit, and the absence of any substantial opposition from the respondent, the Court is required to determine whether sufficient grounds exist to grant leave for production of the additional documents and permit them to be marked as exhibits. The ultimate consideration is whether allowing the documents would facilitate a complete and effective adjudication of the dispute while safeguarding the interests of the respondents through appropriate conditions, if necessary.

9. On perusal of the case records and considering the submissions made on either side, this Court finds that the suit is at the stage of chief continuation of plaintiffs' side and the petitioners seek to produce the documents for the purpose of substantiating their defence. The reason assigned for the earlier non-production of the documents appears to be plausible and not willful. It is well settled that procedural laws are intended to advance the cause of justice and not to defeat it. At the same time, the admissibility, relevancy and proof of the documents sought to be produced are matters to be decided at the time of marking and appreciation of evidence.

10. In view of the above circumstances, and also considering the fact that the other respondent/4th defendant have no serious objection for allowing the petition subject to costs, this Court is inclined to grant an opportunity to the petitioners to produce the documents, so that the matter can be decided on merits, while safeguarding the interest of the respondent by imposing reasonable costs.

11. Accordingly, this Court holds that the petitioners/plaintiffs have made out sufficient cause for allowing the petition, and the petition deserves to be allowed on payment of costs.

RESULT

12. *In the result this petition is allowed with condition that, the petitioners/plaintiffs shall pay a sum of Rs.750/-(Seven Hundred and Fifty only) as costs of this petition to the respondent/4th defendant on or before 12.06.2026, failing to comply the same will result in dismissal of this petition.*

13. *For compliance of condition call on 12.06.2026.*

This order is dictated to the steno - typist, typed by her in computer, corrected by me and pronounced by me in the open court on this 09th day of June 2026.

**District Munsif,
Udhagamandalam.**

Draft/Fair Order:

**I.A. No. 02/2026
in
O.S. No. 147/2022**

Dated: **09.06.2026**

**District Munsif Court,
Udhagamandalam.**