

**IN THE COURT OF ADDITIONAL DISTRICT JUDGE,  
RAMANATHAPURAM.**

**PRESENT: Thiru.C.Mohanram, M.A., B.L.,  
Additional District Judge,  
Ramanathapuram.**

**Tuesday, the 24<sup>th</sup> day of March 2026**

**I.A. No.4/2025 & I.A. No.5/2025 & I.A. No.6/2026  
in  
O.S. No.70/2022**

**I.A. No.4/2025 & I.A. No.5/2025 & I.A. No.6/2026**

Balu ... Petitioner/ Plaintiff

/Vs/

Rajendran ... Respondent / Defendant

I.A.No.4/2025 & I.A.No.5/2025 petitions came up on 05.02.2026 and I.A.No.6/2026 petition came up on 24.03.2026 before this Court for final hearing in the presence of Thiru.A.Ravichandra Ramavanni, Advocate for the petitioner in all petitions and Thiru.G.Dineshraj, Advocate for the respondent in all petitions and upon hearing both side arguments and upon perusal of petitions, counters and case records, this Court delivers the following:

**COMMON ORDER**

**I.A. No.4/2025**

Petition is filed under Sec.151 CPC to reopen the plaintiff side evidence.

**2. I.A. No.5/2025**

Petition is filed under Order 18 Rule 17 CPC to recall PW1.

**3. I.A. No.6/2026**

Petition is filed under Order 7 Rule 14(3) CPC to condone the delay caused to file the petition mentioned documents.

4. In all these three applications petitioner is plaintiff. Respondent is the defendant.

It is the case of the petitioner that he has filed the suit for recovery of money on the strength of Mortgage deed. During cross examination, a question was put to him that he had no means to advance a sum of Rs.25,00,000/- though the defendant had not raised any such plea in his written statement. Hence the petitioner has filed these three petitions to prove his means and therefore all the three applications are liable to be allowed as prayed for.

5. It is the case of the respondent that the petitioner has to file the documents along with plaint itself. He has filed the same after long delay and that too after questioning his means. The petitioner has taken inconsistent plea as to his means and therefore the applications filed by petitioner have no merits and liable to be dismissed.

6. Point for consideration is Whether these three petitions are liable to be allowed as prayed for.

7. This court perused the records and evidence of parties. The respondent himself admits that he has borrowed a sum of Rs.17,00,000/- and the petitioner has obtained the Thump Impression of respondent's father in law in a blank paper and his father in law had not executed any undertaking deed. Moreover the petitioner has obtained a mortgage deed in order to grab the property. Considering the fact and circumstances and also the denial of the petitioner during his cross examination as to his incapacity to pay the amount, this Court is of the considered view that no serious harm would be caused to respondent in the event of allowing these petitions.

8. On the other hand, if these three petitions are not allowed, it would cause irreparable harm and injury to the petitioner. But at the time, the petitioner has come forward with these petitions after long delay and that too when the case was posted for argument. Considering the same, this Court is of the view that these three petitions can be allowed subject to the following terms.

In the result, these three petitions are allowed on condition that the petitioner shall pay a sum of Rs.1,000/- to the District Mediation Centre,

Ramanathapuram to be paid on or before 01.04.2026 failing which all these three petitions will automatically stand be dismissed. Call on 02.04.2026.

Dictated to the Steno-Typist, directly typed by her in the Computer, corrected and pronounced by me in the open court, on this the 24<sup>th</sup> day of March 2026.

Additional District Judge,  
Ramanathapuram.  
24.03.2026

**List of witness and documents on either side :**

Nil

Additional District Judge,  
Ramanathapuram.  
24.03.2026