

**In the Court of District Munsif, Mudukulathur**

**Present : Ms.J.C.Aparna, B.A, L.L.B.,**

**District Munsif,**

**Mudukulathur.**

**Tuesday the 17<sup>th</sup> day of March 2026**

**I.A.No.7/2025**

**in**

**O.S.No.6/2022**

Ameena Beevi

....Petitioner/Plaintiff

Vs

1. Panchavarnam
2. Meenambal
3. Seyinsa Begam

... Respondents/ Defendants

This petition came on 12.11.2025 before this court for a final hearing in the presence of Thiru.G.Janakiraman, Learned Counsel for the Petitioner/Plaintiff, Thiru.M.Dharmar, Learned Counsel for the Respondents/Defendants and upon hearing both side enquiry and upon perusing the material records and having stood over till this day for consideration, this court delivered the following:

**ORDER**

This petition has been filed under Order 7 Rule 14(3) of CPC to receive the additional documents on the side of the petitioner/plaintiff.

**2. Brief averments of the Petitioner/Plaintiff in brief:-**

The petitioner is the plaintiff in the main suit. The main suit is posted for the cross examination of Pw1. Meanwhile the defendants in their written

statement have wrongly stated that the 3rd defendant's property is on the northern boundary of the suit property. Some documents pertaining to the case were able to be procured only now, hence it is necessary to recall P.W-1, since only now the petitioners were able to get the documents and the delay was not intentional. If the petition is not allowed, they will be put to irreparable loss and hardships. Therefore prays to allow the petition.

### **3. Brief averments of Respondents/Defendants in brief:**

The respondents deny the averments in the petition. The reason stated by the petitioner was mentioned in the written statement itself. After seeking adjournments for 3 years now that the suit is posted for cross of Pw1, this petition is filed belatedly to prolong the proceedings without mentioning the documents which are intended to be marked. Hence this petition is liable to be dismissed.

### **4. Point for consideration:-**

Whether the petition be allowed and the relief be granted as prayed for?

No documents filed on either side. Heard both sides.

### **5. Answer to Point :-**

5.1. This petition is filed by the petitioner seeking to receive the additional documents, stating that the defendants in their written statement have fraudulently mentioned that their property is situated in the northern boundary of the suit property. But the property in the northern boundary of the suit property belongs to the petitioner. The petitioner states that certain important documents were obtained only now and seeks to receive the additional documents. Whereas the respondents state that the written statement was filed in the year 2023 itself but after seeking adjournments for 3 years now this petition is filed belatedly without even mentioning the documents sought to be marked.

5.2. On perusal it is seen that the petitioner himself admits that the defendant has mentioned that the property north to the suit property belongs to him in his written statement. The written statement is also admittedly filed in the year 2023. The main suit is posted for cross examination of Pw1. The documents sought to be marked after reopening the Pw1 chief are also not mentioned in the petition but the petitioner claims to have procured the documents sought to be produced on his side. Also seeing that this is a court of first instance, it is necessary to provide sufficient opportunities for the parties to adduce evidence to prove their case to help the court to arrive at a fair conclusion for the issue at hand.

5.2. The parties must be given fair opportunity to present their case to decide the case on merits. Also the reason for the delay is also sufficiently stated. In the light of the above discussions, this petition is allowed since cost already imposed in I.A No.06/2025, no order as to costs and the documents received will be marked subject to proof and relevancy. No costs.

6. In the result, this petition is allowed. No costs.

Directly typed by me in my official laptop and formatted by Steno Typist, corrected and pronounced by me in open court on this 17<sup>th</sup> day of March 2026.

**District Munsif,  
Mudukulathur.**

**Both side witnesses and documents : Nil**

**District Munsif,  
Mudukulathur.**