

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

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

**District Munsif,**

**Mudukulathur.**

**Monday the 13<sup>th</sup> day of October 2025**

**I.A.No.03/2025**

**in**

**O.S.No.16/2024**

1. Natarajan

2. Shanmugasamy

3. Murugan

4. Thangadurai

....Petitioners/ Plaintiffs

(They are representatives for themselves and experienced cultivators and their heirs )

Vs

1. Palanisamy

2. Usaina Aasiya

3. Hirunisha

4. Ummusowtha

... Respondents/ Defendants

This petition came on 22.09.2025 before this court for a final hearing in the presence of Thiru.K.Alagarsamy, Learned Counsel for the Petitioners/ Plaintiffs, Thiru.K.Sendhoor, 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 Section 151 of CPC reopen the PW1 side evidence.

**2. The contention of the Petitioners/ Plaintiffs in brief:-**

The petitioner is the 3<sup>rd</sup> plaintiff in the main suit, he files the petition for himself and on behalf of the other plaintiffs. Only at the time of the cross-examination of PW1, it was brought to the notice of the petitioner that some plaint documents were not marked during the chief examination of PW1. Hence, this petition to reopen and mark the said documents on the side of the plaintiff or else the petitioner would be put to irreparable loss and hardships.

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

The respondents deny the averments in the petition. The petitioners have no right or possession over the properties. The plaint mentioned documents are totally irrelevant to the case in hand. The revenue records for the suit properties are rightfully mutated in the name of the persons in favour of whom the sale was executed by 2 to 4 defendants represented by their power agent, the 1<sup>st</sup> defendant. The documents intended to be marked are fraudulently forged by the plaintiffs in their name and appear to be forged after the suit. Hence prays to dismiss this petition.

**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 the Point:-**

5.1. The present petition is filed to reopen the main suit for marking the documents which were left out during the chief examination of PW1. The main suit in the stage of cross of PW1. The petitioner states that only at the time of cross-examination of PW1, they came to know that inadvertently certain plaint filed documents were left out to be marked. Whereas the respondents state that the documents sought to be marked are forged by the plaintiffs, and also appear to be dated after the filing of the suit.

5.2. On perusal of the averments on both sides, the main stand taken by the respondent is that the documents which the petitioner seeks to mark are forged in their name. And the true revenue records in respect of the suit properties are mutated in the name of the rightful purchasers from the 2 to 4 defendants represented by their power agent, the 1<sup>st</sup> defendant. The question to be decided is whether the documents were forged or genuine. It is a matter for trial. Also, considering the fact that this is a court of first instance, sufficient opportunity must be granted to the parties to prove their case. The respondent also takes a stand that the documents which are sought to be marked are dated after the filing of the suit. As discussed above, the parties must be granted sufficient opportunity to produce documents in support of their pleadings and any objection as to the admissibility and relevancy of documents can be decided at the time of marking of the same. In the light of the above discussion petition is allowed, but for the obvious delay caused to the proceedings and to compensate the hardships caused to the respondents, it is trite to allow this petition on payment of cost.

6. In the result, the petition is allowed and the petitioner shall pay a cost of Rs.500/- to the respondents on or before 23.10.2025 failing which this petition shall stand dismissed.

Directly typed by me in my official laptop and formatted by Steno Typist, corrected and pronounced by me in open court on this 13<sup>th</sup> day of October 2025.

**District Munsif,  
Mudukulathur.**

**Both side witnesses and documents : Nil**

**District Munsif,  
Mudukulathur.**