

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

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

**District Munsif,**

**Mudukulathur.**

**Monday the 25<sup>th</sup> day of August 2025**

**I.A.No.08/2025**

**in**

**O.S.No.24/2016**

1. R.Sivasankarakumar  
(through his power agent  
S.Thangapandian)

2. S.R,Ponnumani

..... Petitioners/Defendants

*/VS/*

Sundari

..... Respondent/Plaintiff

This petition came on 13.08.2025 before this court for a final hearing in the presence of Thiru.D.Pandikumar, Learned Counsel for the Petitioners/Defendants and Thiru.K.Velusamy, Learned Counsel for the Respondent/Plaintiff and upon hearing both sides arguments and upon perusing the material records and having stood over till this day for consideration, this court delivered the following:

**ORDER**

This petition is filed by the petitioner U/O XIV Rule 4(1) of C.PC and section 5 prays to frame additional issues.

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

The petition is filed to frame additional issues as to whether the Will through which the plaintiff traces his title is valid and whether the signature in the said Will was forged as executed by Subramaniyan. Hence this petition to frame the said additional issue or the petitioner will be put to irreparable loss and hardships.

**3. Brief averments of the Respondent/plaintiff in brief:**

The respondents deny the averments in the petition. The Will in question was accepted by the order in IA No 200//2020 in a petition to receive additional documents and marked with the objection of the defendants. There is no need to frame an additional issue as to the Will. Hence prays to dismiss the 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 petition is filed to frame additional issues as to whether the Will through which the plaintiff traces his title is valid and whether the signature in the said Will was forged as executed by Subramaniyan. Whereas the respondents state that there is no need to frame an additional issue as to the Will as the same was marked as per order in I.A No.200/2020 in a petition to receive additional documents and marked with objection.

5.2. The I.A No.200/2020 was only a petition to receive additional documents and the said order will not determine the relevancy of the same. Also on perusal it is seen that in the original issues framed, no specific issue was framed as to the genuinity of the Will and execution of the same even though the execution is specifically denied in the written statement. The original issue

framed was, “ Whether the suit property belongs to the plaintiff or the defendant?”. Hence this court thinks it is necessary to frame the issue, “Whether the Will through which the plaintiff traces his title is valid and the signature in the said Will as alledgely executed by Subramaniyan was forged?”. In the result this petition is allowed and no costs.

6. In the result, this petition is allowed and no costs.

Directly typed by me in my laptop and formatted by Steno Typist, corrected and pronounced by me in open court on this 25<sup>th</sup> day of August 2025.

**District Munsif,  
Mudukulathur.**

**Both side witnesses and documents : Nil**

**District Munsif,  
Mudukulathur.**