

IN THE COURT OF I ADDITIONAL DISTRICT MUNSIF, SALEM

Present: Tmt.V.Vijayalakshmi, B.A., L.L.M.,

I Additional District Munsif, Salem.

Thursday, the 24th day of September, 2026

I.A.No.8/2026 and I.A.No.9/2026

in

O.S.No.170/2022

CNR NO:TNSA060002372022

P. Kannan

... Petitioner / Plaintiff

/Vs./

1. S. Mohanraj
2. K. Palanisamy
3. D. Kubendrean
4. Malarvizhi

... Respondents / Defendants

These Petitions came up for final hearing before me on 23.09.2026 in the presence of Mr.M.Selvageathan, Advocate for the Petitioner / Plaintiff and of Mr.V.Manigandan, Advocate for the 1st Respondent and the Counsel for respondents 3 & 4 endorsed no counter and the 2nd respondent has decided as exparte and upon hearing both side arguments, upon perusing the petition, affidavit, counter and case records and having stood over for consideration till this day, this court passed the following...

COMMON ORDER

1. The Petitioner / plaintiff has filed the present petitions under section 151 of C.P.C and Order 16 Rule 14 r/s Section 151 of CPC, seeking reopen the case of the defendants for the purpose of cross examination.

2. According to the petitioner / plaintiff, he has filed the suit for mandatory injunction and permanent injunction. For the proper adjudication of the real matters

in controversy and to arrive at a just conclusion of the case, the examination of the petition mentioned witnesses is highly essential and necessary. Therefore, it is necessary to reopen the case of DW3 and DW4 side evidence and permit the petitioner / plaintiff to examine the above witness in the interest of justice. Hence the petitions.

3. On the otherhand, the 1st respondent contended that the petitioner / plaintiff has no right to file this present petition on any reasons. In order to filling up lacuna, the petitioner / plaintiff has come forward to file the petition and drag on the proceedings without any valid and acceptable reasons. Hence these petitions are liable to be dismissed with costs.

4. This court has considered the averments made in the affidavit and the counter. From perusal of records it is seen that defendants 3 and 4 have already closed their evidence. The suit is now at the stage of arguments. The petitioner seeks reopen and issuance of summon to the concern Sub-Inspector of Police, Steel Plant Police Station, Salem City relates to the complaint lodged by plaintiff's wife.

5. The CSR receipt issued in respect of the complaint would ordinarily be in the custody of the complainant, who received the same from the police authorities. The corresponding CSR entry/register would remain in the custody of the concerned police station. Therefore, when the plaintiff seeks only to produce and mark the CSR receipt, the necessity of summoning the concerned police officer merely for the purpose of producing the said receipt has not been established.”

6. For the abovesaid reasons, this court is of the opinion that the petitioner /

plaintiff has filed these petitions only with a view to prolong and procrastinate proceedings and thus making cumbersome in the disposal of the suit. Accordingly these petitions are dismissed.

In result, these petitions are dismissed. No costs.

Order directly dictated to stenotypist and typed by her in computer, after rectification of mistake, pronounced by me in open court, this the 24th day of September, 2026.

VIJAYALAKSHMI
Digitally signed by
VIJAYALAKSHMI
Date: 2026.09.24
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I ADDITIONAL DISTRICT MUNSIF,
SALEM.

