

**IN THE COURT OF THE DISTRICT MUNSIF, PALLADAM**

**Present:- Thiru. V. Kalidasan, B.Com., L.L.M.,  
District Munsif,Palladam**

Monday the 24<sup>th</sup> day of February 2025

**I.A. No.3/2025**

**in**

**O.S.No.107/2013**

1.Natarajan (died)

2.Kittusamy

3.Arukkaniammal

4.Ravi (a) Ravikumar

... Petitioners/Defendants

***/Vs/***

1.P.Kaliammal (died)

2.Masathal (died)

3.Sundararajan

4.Dhanraj

5.Rajamani

6.Saminathan

... Respondents/Plaintiffs

This Petition is coming on 18.02.2025 for final hearing before me in the presence of Thiru.R.Mahesan, Advocate for the Petitioners and Thiru.P.Sakthivel, Advocate for the Respondents 3 to 6. Upon perusing the Petition, affidavit, Counter statement and other connected material papers of record and hearing the arguments of both sides and having stood over till this day for consideration, this court made the following...

**ORDER**

The petitioner filed this petition Under Order 8 Rule 1A and Section 151 of CPC to receive the additional document mentioned in the petition and the

same may be marked as defendants side documents.

1. The case of the petitioners herein is that the petitioners have filed the additional documents with this petition. The delay of filing of petition mentioned additional documents is neither wanton nor willful. The petition mentioned documents are very essential document for the petitioners to prove this case. Unless this Court is pleased to receive the documents, the petitioners will be put to much loss and hardship. Hence, prayed to allow this petition.

2. The case of the respondents 3 to 6 is that the petition mentioned document No.1 is alleged unregistered sale deed as if executed by Periya Marappa Gounder in the year 1977 is concocted story. The said document did not fulfill the mandate provision of Registration Act and also unstamped one. Noting to be developed any title to the petitioners fore father based on legally unsustainable document and the same cannot be consider as title deed. The Said document has to be created after this suit and opposed to receive and the same. Remaining documents most of them are house tax receipts which do not reflect the suit property. No valid reason has been stated to produce plethora of documents. Hence, prayed to dismiss this petition.

### **3. Ponits for consideration:**

Whether this petition will be allowed or not ?

### **4. Answer to the point :**

5. Heard both sides. No oral or documentary evidence is let in by both sides.

6. Materials on records perused. It is seen from the records that the petitioners herein had filed the suit in O.S.No.107/2013 for the relief of declaration and consequential permanent injunction. The present petition was filed by the petitioner to receive the documents mentioned in the petition.

7. The main submission of the respondents is that the document No.1 listed in the petition is a unregistered sale deed and the same is not fulfill the mandatory requirement of the Registration Act and the same is unstamped document. Hence, cannot be received. The learned counsel for the petitioners submitted that the said document No.1 is less than value of Rs.100/- as per Transfer of Property Act, if a property is value of less than Rs.100/- need not be registered. Hence, it is valid document in the eye of law.

8. On perusal of the documents listed in the petition it is found that the document No.1 is valued less than Rs.100/- only. As per the provisions of Transfer of Property Act, if a property is value of more than Rs.100/- only it is required to be registered. The respondents have not raised any serious objections for the remaining documents. Receiving the said documents will not amounting to proving the contention of the said documents or admitting in evidence. The relevancy and admissibility will be decided only at the time of deciding the suit. Further, receiving the said documents itself will not cause any prejudice to the respondents. Therefore, in order to provide fair opportunity to the petitioners to conducting the case and in the interest of justice this court is inclined to allow this petition on condition.

**In the result,** this petition will be allowed on condition that the petitioners shall pay the cost of Rs.500/- to be paid to the respondents 3 to 6 on or before 05.03.2025. Further, the petitioner shall complete his chief examination on 06.03.2025. For compliance call on 06.03.2025.

Dictated to Typist, and typed directly in computer and corrected & pronounced by me in open Court, on this 24<sup>th</sup> day of February 2025.

**District Munsif,  
Palladam.**

IA No.3/2025  
OS No.107/2013  
Fair/Draft order  
Dated 24.02.2025  
DMC Palladam