

**IN THE COURT OF THE II ADDITIONAL DISTRICT & SESSIONS JUDGE,
THANJAVUR.**

**Present :Tmt. A. Malarvizhi, M.L.,
II Additional District & Sessions Judge,
Thanjavur.**

**Monday the 6th day of November 2023
(Thiruvalluvar Aandu 2054- Ippasi Matham 20th day)**

I.A. No.218/2023 in O.S. No.150/2022

A. Varatharajan

.....Petitioner/plaintiff

/Vs/

(1) M. Ilavazhagan

(2) M. Mayilvahanan

.....Respondents/ Defendants

This petition having come up for final hearing before me on **30.10.2023** in the presence of **Tmt.S. Thenmozhi**, Advocate for the Petitioner/Appellant and of **Thiru.K. Ravi Raj**, Advocate for the respondents and upon hearing the arguments of both sides, upon perusal of the entire material records pertaining to the case and the matter having stood over for consideration till this date, this court delivered the following

ORDER

(1) The petitioner/plaintiff filed this petition under Or. 7 rule 14 (3) of CPC. for seeking permission to produce documents.

(2) The petitioner's counsel argued that the suit was filed by the petitioner for recovery of money against the respondents. The petitioner has mentioned the suit debt in his income tax return for the year 2019 in which the 1st defendant's name was also mentioned. That document was not available with him at the time of filing the suit. Now only he got it. It is very important document to resolve the issues. Unless this petition is allowed, he will be put much hardship. So this petition may be allowed.

(3) The respondents' counsel argued that the petitioner has no right to file petition to receive the additional documents after expiry of two weeks

period without any material reason for delay. So the petition is liable to be dismissed.

(4) Both side arguments and records considered. This petition was filed when the suit was posted in list for trial. This court views that being it is a trial court every party should be given every opportunity to contest the case effectively. So, the delay in filing the document can be condoned in the interest of justice. Hence this court decides to permit the petitioner to file the document which is mentioned in the petition.

(5) In the result, this petition is allowed. No costs.

Dictated to the Steno-Typist, typed by her directly in computer, corrected and pronounced by me in open court, this the **6th day of November 2023.**

**II Additional District & Sessions Judge,
Thanjavur.**

Petitioner and Respondents side
Exhibits and witnesses: Nil

**II Additional District & Sessions Judge,
Thanjavur.**

ORDER

I.A No.218/2023 in

O.S. No.150/2022

Dated: 6.11.2023.