

IN THE COURT OF DISTRICT MUNSIF, POLUR.

TIRUVANNAMALAI DISTRICT.

Present: **Tmt.B.Salma, B.A., B.L.(Hons)**

District Munsif Judge, Polur.

Thursday, the 08th day of January 2026

IA.No.1 to 3/2025 in OS.No.426/2018

1. Neelavathy
2. Thenmozhi

.....Petitioners/Plaintiffs.

Vs.

1. Malliga
2. Thamaraiselvan
3. Kaviyarasu
4. Ilavarasi
5. Tahsildar, Polur
6. Tahsildar, Puthur
7. The Accountant General, Hyderabad – 4
8. The Commissioner (S) Director of Intermediate Education,
Hyderabad.
9. Deputy Diretor District Treasury Officer, Chittoor
10. Sub Treasurer, Chittoor District.

....Respondents/Defendants.

This petition came up before me for the final hearing on 18.11.2025 in the presence of Thiru.G.Aristatil, Advocate for the petitioners and Thiru.P.Karunanithi, Advocate for 1 to 4th respondents and having heard both side arguments and upon perusal of records and evidences adduces on both side and the petition having stood over for the consideration till this day, this court deliver the following:

COMMON ORDER

IA.1/2025 is filed under Section 151 CPC in order to reopen the plaintiff side evidence and IA.2/2025 is filed under Or 7 R 14(3) CPC to receive documents on the side of the plaintiff and IA.3/2025 is filed under Or 18 R 17 CPC for recalling PW1 in the suit in OS.426/2018.

2. The petitioner states that she is the 1st petitioner and 1st plaintiff in the suit and further submits that the suit has been filed by the 1st petitioner and her daughter 2nd petitioner for getting pension dues, gratuity and other benefits from the Government for her deceased husband who was working in Government College of Andrapradesh State and further submits that the said suit is pending for trial and already PW1 to PW3 evidences were examined and documents were marked and at present the suit is posted for defendant side evidence and at this time, the petitioner submits that the plaintiff had discovered certain important documents such as Legal heir certificate of deceased husband Sagadevan which is necessary for the suit and it is necessary to permit the petitioner to mark the above legal heir certificate in order to succeed the suit, hence it is necessary to reopen the plaintiff side evidence and recall PW1 for marking the above legal heir certificate, hence this petition.

3. The 3rd respondent filed counter as adopted by 1st, 2nd and 4th respondents stating that the petition is not maintainable either in law or on facts and all the facts stated in the petition are all false and the petitioners are liable to be put to strict proof of the same and further submitted that the suit has been filed to declare the petitioners as legal heirs of deceased Sagadevan and on the side of the plaintiff, it was alleged that they had filed the petition on 19.02.2008 for issuing legal heir certificate for the deceased Sagadevan and the Tahsildar after conducting the enquiry had stated that legal heir certificate cannot be issued and also alleged in the plaint that the order dated 01.07.2008 denying the issuance of legal heir certificate to the petitioner was marked as Ex.A5 and Ex.A6 and the respondent submits that when the order has been passed by the Tahsildar of Polur on 01.07.2008 that petitioners cannot be declared as legal heirs then this petition filed for receiving the legal heir certificate dated 28.11.2024 issued by Polur Tahsildar, cannot be accepted and further submits that after filing the suit for declaring the petitioners as legal heirs of deceased Sagadevan in the year of 2008 and has filed the present petition after 16 years in order to reopen the plaintiff side evidence for receiving the legal heir certificate issued by Polur Tahsildar stating that the petitioners as legal heirs of deceased Sagadevan. Therefore, the above document is forged document and

filing the present petition after the suit had come to the conclusion cannot be accepted and hence prays to dismiss the present petition.

4. Heard both counsels. Records perused. On perusal of records, it is seen that, in the main suit was filed in the year 2008 by the petitioners Neelavathy and Thenmozhi with the prayer specified as follows:

(a). declaring the plaintiffs as legal heirs of deceased Sagadevan, S/o. Arjuna Gounder at Periyagaram Village, Polur Taluk in Tiruvannamalai District to enable them to get the dues of deceased A.Sagadevan from the Government;

(b). granting a consequential permanent injunction against the 7th defendant, restraining him, all his successors, subordinates and officiating personnel in his place etc., from in any manner disbursing any amount that are due to deceased A.Sagadevan till the issue of original legal heirs are finally decided;

(c). awarding cost of the suit from the 1st defendant; and

(d). granting such other relief as deemed fit and proper in the circumstances of the case.

5. Thus, the above suit was filed for declaring the petitioners as legal heirs of deceased Sagadevan and for granting consequential permanent injunction against the 7th defendant not to disburse any amount that are due to deceased Sagadevan till the issue of original legal heirs are final decided. It is seen that, on perusal of Ex.A6 which is the letter dated 01.07.2008 issued by the Polur Tahsildar, the Tahsildar had denied the issuance of legal heir certificate in the favour of the petitioners for the deceased Sagadevan stating two reasons that the deceased Sagadevan was having 2 wives and since the details of the wife belonging into Andhra State was not fully known and further the wife of the deceased Sagadevan belonging to Andhra State had obtained death

certificate and legal heir certificate for deceased Sagadevan and the benefits obtained by the said wife was stopped by the petitioners and hence for the above reasons legal heir certificate was denied to be issued to the petitioners by the Tahsildar of Polur.

6. However, at present the petitioners are seeking to mark the legal heir certificate issued by Polur Tahsildar dated 28.11.2024 stating that Neelavathy and Thenmozhi are the present legal heirs of deceased Sagadevan which is contrary to the pleadings and documents filed by the petitioners in the suit and for this there is no explanation stated by the petitioners for the said contradiction and hence in the absence of sufficient reasons offered by the petitioners for marking the said legal heir certificate which is contrary to the pleadings of the suit filed by the petitioners, this Court is of the opinion that these petitions must be dismissed and further the above legal heir certificate is obtained in the year of 2024 after the filing of the suit in the year of 2008 i.e., after about 16 years and therefore this Court is of the opinion that for this reason also, these petitions must be dismissed. Hence, in the result, the petitions in IA.1/2025, IA.2/2025 and IA.3/2025 are dismissed.

In the result, the petitions IA.1/2025, IA.2/2025 and IA.3/2025 are dismissed.

No cost.

Dictated to the Steno-Typist, directly typed by her in computer, corrected and pronounced by me in Open Court, this the 08th day of January 2026.

Sd/- B.Salma,
District Munsif,
Polur.

Petitioners side evidence and documents : Nil

Respondents side evidence and documents : Nil

Sd/- B.Salma,
District Munsif,
Polur.