

IN THE COURT OF THE DISTRICT MUNSIF, ARNI.

PRESENT: Miss. D.V.Koperundevi,B.com.,L.L.B.,(Hons)

DISTRICT MUNSIF,

DISTRICT MUNSIF COURT, ARNI.

Friday, the 13th day of February 2026.

I.A. No. 02/2025

in

O.S. No. 157/2012.

1.M.R.Venkatesan

2.M.R.Ramesh

... Petitioners/Defendants

/Vs/

1. M.L.Meganathan,

2. M.L.Amorthalingam,

3. M.L.Sivaprakasam

...Respondents/Plaintiffs

This petition came up before me for final hearing on 11.02.2026 in the presence of Thiru. D.Chandrasekaran, Advocate for the Petitioners/Defendants, and Thiru.P.Kamala Devi, Advocate for the 5 Respondents/Plaintiffs, and upon hearing both sides enquiry and perusing the material records of this petition and having stood over for consideration till this day, this court delivers the following:-

ORDER

The petitioner filed this petition under Order VIII Rule 1A(3) and Section 151 CPC.

I. The gist of the averments in the petition:

1. In the affidavit, the petitioner herein and 1st defendant in the main suit. The petitioner is filing this affidavit for himself and on behalf of the other 2nd defendant.
2. The petitioner submit that the original documents which are of very old in nature was misplaced in his house and was not able to be found at the time filing his written statement. Now while cleaning the house the documents which listed in the accompanying petition were found in the trunk box, mixed with other papers. Hence, the petitioner have filed an application to receive documents as detailed referred in this petition.
3. The petitioner submit that he pray this Hon'ble court for receiving the documents more fully listed in the accompanying petition and if this Hon'ble court does not grants permission to file the said documents and to receive the same or otherwise he will be put to irreparable loss and hardship.
4. The balance of convenience is always in hisfavour of granting permission to file the documents and to receive the same.
5. Hence it becomes just and necessary in the interest of justice to grant permission to receive the said documents filed along with this petition.

II. The averments in the counter filed by the respondents:

1. This application for receiving the petition listed documents, to grant permission to the petitioner / defendants to filed the documents and to receive the same are not maintainable or sustainable either in law or on facts.

2. This Petitioner has not filed proper procedural, provision and made single paper with brief affidavit along the petition & its prayer in the above case. This is not maintainable in law. This Respondent denies all the unnecessarily and unwanted connected facts in the affidavit petition
3. This Respondent submits that the para 2 of the affidavit stated that the original documents which are of very old in nature was misplaced in the petitioner house and was not able to be found at the time filing his written statement and now while cleaning the house the documents which listed in the accompanying petition were found in the trunk box, mixed with other papers and hence the petitioner have filed an application to receive documents as detailed as false, imaginary story behind the above said reasons, practically not admitted one.
4. This respondent submits that the above petition has listed as four documents are originally differing from the suit schedule mentioned property. But this petitioner has tried to establish a confusing state of the picture to the suit property, thereby trying to include the overshadow upon the suit property which was purchased by this respondent's grandfather Gopal Chettiar in the year 1928 and the said Sale deed has filed before this Hon'ble Court.
5. This respondent submits that the petitioner's written statement was filed in the above suit on 28.02.2013, if it so, more than 12 years are they are undoubtedly searching that petition schedule mentioned documents? It is a clear picture that the petitioner is trying to confuse the suit property which is one nearly 100 year old document. The adjacent properties purchased by their father under alleged sale deed dated 30.01.1952 did not cover the entire extent in Bazaar Street, it deals only with a small

extent of property. So, they have submitted very much delay, unreasonable explanations to admit the above petition.

6. There is no merit or bonafide in this application. It is highly vexatious in nature. Only to more drag the proceeding in the above suit.
7. It is therefore, prayed that this Hon'ble Court may be pleased to dismiss the above receive documents petition Under the ground of not maintainable in this suit and pass order or orders and deem fit and proper under the circumstances of the case.

III. Points:

1. Whether the petition under Order VIII Rule 1A(3) and Section 151 of CPC to be allowed or not?

IV. Points for Consideration:

Heard on both sides. Records have been perused. The present application is filed by the Defendant under order VIII Rule 1(A)(3) CPC to receive the additional documents due to subsequent developments with regard to the suit property, that too filed during the stage of Defendant side evidence, which deserves to be considered. On careful consideration of the available records, it is found that, the suit is pending for marking of additional documents, the petitioners/defendants are seeking permission to receive the petition mentioned Document No 1 to 4 to be marked as their side exhibits in order to prove their case. Thusby, on considering the stage of the case and in order to dig-out the real questions of facts of this case, and to give sufficient opportunity for both sides to prove their case on merits, and for the purpose of rendering justice and to meet the ends of justice, this Court is inclined to receive Document No. 1 to 4 on

production of original documents and subject to proof and relevancy of the case.

V. Result:

In the result, this petition is allowed, thereby Document No. 1 to 4 are ordered to be received in evidence on production of original documents and subject to proof and relevancy of the case. No costs.

Dictated to Steno Typist, and computerized by her directly, corrected and pronounced by me in the open Court, on the 13th day of February 2026.

**District Munsif
Arni**

List of witnesses : N I L

List of documents:

S.No.	Date	Documents
1.		Original patta bearing patta No. 740 standing in the name of Rajaraththinam
2.	31.03.1938	Original sale deed dated 31.03.1938 bearing document No.487/38 executed by Munisamy Chetty and others infavour of Mukkukra Kuppu Chetty
3.	31.03.1938	Original sale deed dated 31.03.1938 bearing document No. 493/38 executed by Arunachala Chetty and others infavour of Mukkukra Kuppu Chetty
4.	30.01.1952	Original sale deed dated 30.01.1952 bearing document No.193/1956 executed by Salammal infavour of Mukkur Kuppu Chetty.

**District Munsif
Arni**