

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. 03/2024

in

O.S. No. 105/2011.

Sakthivel

... Respondent/Plaintiff

/Vs/

1.Kanniyappan
2.Thirunavukarasu
3.Kalaiselvi
4.Subramani
5.Selvam
6.Pannir
7.Renu

...Petitioners/Defendants

This petition came up before me for final hearing on 11.02.2026 in the presence of Thiru.K.Thirunavukarasu, Advocate for the Petitioner/Plaintiff, and Thiru. K.Narayanan, Advocate for the Respondents/Defendants, 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 of CPC 1908.

I. The gist of the averments in the petition filed by the 2nd petitioner:

1. The said original suit concerns with Survey No. 1450, which is a patta land with Survey No. 236/8.
2. In the said case, the 4th defendant is a witness on the plaintiff's side. Since the 4th defendant is to be cross-examined, the 4th defendant has occupied the land sold by

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the 4th defendant in Survey No. 236/1, 2, 3, through forged documents.

3. In 1975, the father of the 1st defendant and the grandfather of the 2nd defendant, namely (1) Munusamy and (2) Krishnapillai, jointly purchased the vacant land sold by Kuppan Subramani under Survey No. 236/3.
4. In 1975, the 4th defendant registered a forged document in the name of Ramakrishnan, the husband of Kuppan and Subramani's sister, and usurped the 2nd defendant's grandfather's property.
5. In 1984, the 4th defendant, who is a witness for the plaintiff in this case, registered a forged document in the name of his wife.
6. In 1975, the petitioner's grandfather's property was usurped. At present, the plaintiff and the 4th defendant are conspiring to usurp the 2nd defendant's property.
7. It is very important for the petitioner to present the documents before the Hon'ble Court to prove the above and to show his true position.
8. In 1989, on the day the 3rd defendant, Kalaiselvi, Kuppan, Subbramani acquired 1 Azhaguraja's, two vacant plots, and 2 Vittel's, one plot, Document numbers are 2887, 2888, 2889, /1989.
9. Kuppan, Subbramani, sold plot number 38, the vacant plot acquired by Vittel, to the 4th defendant's son, Baskaran, in 2007. Document number 48.3/2007.
10. The vacant land of Angammal, east of Azhaguraja's vacant land, was registered with a forged document in the name of Kuppan, his heir, and the 4th defendant, Subbramani's son, Baskaran. Document number 3628/2008, currently survey number 236/27.
11. In 2005, the plaintiff Sakthivel's patta number 1450, survey number 236/8, was changed from 'punjai' to 'natham'. Currently, the plaintiff's patta land is in the name of Shanmugam. This information was obtained by the petitioner through the

Right to Information Act.

12. The plaintiff and the 4th defendant, the plaintiff's witness Subbramani, have given false statements to fraudulently seize the 2nd defendant's property. Subbramani was examined as a plaintiff's witness.
13. The petitioner pray that the Hon'ble Court take action under Rule 211 against both the plaintiff and the 4th defendant, the plaintiff's witness Subbramani.
14. The petitioner pray that the Hon'ble Court, considering the facts stated herein, order the production of the documents to be filed by the 2nd defendant.

II. The gist of the averments in the Counter:

1. The Petitioner's petition is false, frivolous, vexatious, and not Maintainable either in law or on the facts.
2. This respondent has specifically denied all the averments mentioned in the petition.
3. The petitioner has to prove all the averments and allegations made in the petition.
4. The petitioner filed this petition with the intention of dragging on the proceedings and filed the irrelevant document with the intention to claim the suit property unlawfully as against the respondent/Plaintiff.
5. The respondent submits that the part heard case was posted for cross examination of PW2 by this petitioner for the past 6 to 7 hearings and witness was produced all the times before this Hon'ble court, but the petitioner did not cross examined Pw2 and his Counsel also withdrawn the vakalath and he is not interested to engage any other counsel either directly or through legal aid and he himself directly filed some fabricated documents without followed any procedure of law and Changing the counsel every time and dragged the proceedings for the past 12 years and finally filed those documents not to be received at this stage by this Hon'ble court.

6. Therefore, the petition to receive the fabricated and irrelevant documents at this stage is liable to be dismissed with the costs. If any reason that this Hon'ble court thinks fit to receive those documents subject to proof and relevancy filed by petitioner may be imposed heavy cost to the petitioner with the condition to Cross examination of Pw2 at earliest point of time and impose penalty to pay the witness cost of Rs. 1000/- incurred expenditure to the respondent/Plaintiff on failure of cross examined on 6 occasion by petitioner/defendant and pass such order under the Circumstances of the case.

III. Points for Consideration: -

(i) Whether the petition filed under Order 8 Rule 1 A (3) and Section 151 CPC is to be allowed?

IV. Points: -

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 18 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 18 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 18 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 a stenographer and computerized by her directly, corrected and pronounced by me in the open court on this 13th day of February 2026.

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List of Petitioner side Witness : - NIL

List of Petitioner side Documents:-

S.No.	Date	Document
1.		Certified copy of the Sub-Registrar document executed in the year 1975 in the name of Ramakrishnan, husband of Kuppan, Subramani's sister, document no. 2147/1975
2.		Computer copy of the Sub-Registrar document executed in the year 1984 in the name of Pushpammal, wife of the 4th defendant, document no.714/1984 and Computer copy of chitta in the name of Pushpammal.
3.		Certified copy of the Sub-Registrar document executed by Ramakrishnan in the name of Subramani in 1994
4.		Google map photos of the suit property
5.		Guideline Value for the S.No.236/8, 236/1A2
6.		Certified copy of the Sub-Registrar, Release deed executed by the Kuppan to Subramani in 1989
7.		Certified copy of the Sub-Registrar, Azhaguraja purchased, from Kuppan and Subramani when Kalaiselvi purchased in the year 1989
8.		Plot no.38 purchased by vittel from kuppan subramani where the 4th defendant's son Baskaran purchased form vittel in 2007

9.		Sale deed in the name of Baskaran, for the 2 vacant site east to Azhaguraja's site in 2008
10.		Plot no 34 Vacant site sold by Kuppan subramani where Dayalan purchased from Ethiraj in 2005 Document No.5325/2005
11.		Plot no.24,Computer copy of chitta for the S.No.236/23
12.		Map for the S.No.236/1AA1 computer copy
13.		Old Patta for the plot no.23 S.No.236/8 received from Right to information Act
14.		Patta for the S.No.236/8 currently in the name of Shanmugam received from Right to information Act
15.		Chitta in the name of 2nd defendant for the plot no.29, and S.No.236, received from Right to information Act
16.		Adangal for the S.No. 236/1A2 and 1432 Fasli receipt
17.		Reply letter received from Cheyyar Revenue Office through received from Right to information Act in 2009
18.	18.01.2023	Rough plan for S.No.236/8, 1A2,9A1,

List of Respondent side Witness and Documents: - NIL

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