

IN THE COURT OF THE DISTRICT MUNSIF, VANDAVASI,
TIRUVANNAMALAI DISTRICT.

PRESENT : Tr. R. SENTHIL KUMAR, B.A.,B.L.,
DISTRICT MUNSIF.

TUESDAY THE 05TH DAY OF MARCH 2024

IA.No. 03/2024 in O.S.No.42/2005

1. Ammani Ammal,
2. Rathinapillai(Died),
3. Baby Ammal,
4. Athikesavan,
5. Arumugam,
6. Perumal,
7. Amaravathi,
8. Rani,
9. Rajeswari,
- 10.Sankaran,
11. Prakash

. . . Petitioners/Defendants

-Vs-

01. Yasodha,
02. Selvi,
03. Muniyammal,
04. Perumal,
05. Alamelu,
06. Rajiv Gandhi

. . . Respondents/Plaintiffs

These petitions when coming before this court on 05.03.2024 in the presence of Mr.J.Nethaji, learned counsel for the Petitioners/Defendants Mr. R.Mani, the learned counsel for the Respondents/Plaintiffs and upon hearing both and upon consideration of the case records and having stood over for consideration till this date, this court delivers the following...

ORDER

1. The respondents reported no counter. Heard.
2. This petition is filed to reopen the defence side evidence which has been closed for non-production of witnesses.
3. It is stated that the petitioners/defendants were always ready to give evidence but their side was closed without giving sufficient opportunity.

4. It is falsehood and the petitioners/plaintiffs have dared to plead falsehood as the defence evidence was opened on 18.03.2020 and the petitioners/defendants had failed to produce any witnesses till 02.01.2023 and they had examined the 1st defendant as DW1 on 24.01.2023. Thereafter, the DW1 had not turned for cross examination thus her cross examination was closed for default. Then the recall of DW1 was sought for by the petitioners/defendants for the purpose of cross examination by other side. Even after allowing that petition on cost, the costs was not paid and the petition came to be dismissed and the defence evidence was closed.

5. Hence, the petitioners/defendants have no merits in claiming reopen. However, in order to give a last chance, this petition is ordered to be allowed on cost of Rs.2,000/- payable to District Legal Service Authority on or before 25.03.2024 call on by then.

This order is pronounced by me in the open Court on this the 05th day of March 2024.

District Munsif,
Vandavasi.