

IN THE COURT OF DISTRICT MUNSIF, LALGUDI

Present: Thiru.S.Pragatheeshwaran, M.A.,B.L.,
Principal District Munsif,
Lalgudi.

Saturday the 04th day of July 2026

IA.No.07/26 in OS.No.149/2018

1) V.Shanmugam

2) R.Shanmugam

....Petitioners/Defendants

VS

P.Gomathi

.....Respondent/Plaintiff

This petition has come up for final hearing on 04.07.2026 before this court in the presence of Advocate Mr.T.A.Om Prakash, learned counsel of these Petitioners/Defendants and in the presence of Advocate Mr.P.Kanagaraja, learned counsel of this Respondent/Plaintiff, upon perusal of material records and having stood over for consideration till this day, this court delivers the following....

ORDER

Petition filed Under Order 8 Rule 1 (A) of CPC

1) On perusal of this petition that the Petitioners/defendants filed this petition to receive the additional documents on their side. The documents produced along this petition is necessary to prove the case of the petitioner. Hence, he prayed for allow this petition.

2) On the other hand, the respondent stated that this petition is not maintainable and the documents relied on by the petitioners are irrelevant to the suit property. There is no pleading having regard to the those documents relied on by the petitioner and no sufficient cause for non filing of the said documents along with written statement was not explained. The document No.2 to 5 are created subsequent to the suit. Hence, this petition required to the dismissed.

3) Now the points for consideration is that whether this petition is liable to be allowed or not?

4) The petitioner filed the suit for Permanent injunction against the respondents. In which, the petitioner/defendant filed this petition to receive the additional documents on their side, i.e, Joint patta, chitta, Field measurement, incumbrance certificate.

5) As per Under Order O8 R1A(3) and 151 of CPC the documents relied on by the petitioners may be received in evidence with the leave of the court.

6) Considering rival submissions, this court has found that, if the petitioner has explained sufficient cause for non production of certain documents along with written statement, with the leave of the court, the same may be received in evidence. In the present case, the reason adduced by the petitioner/defendant are satisfactory, and moreover, the admissibility of document alone to be decided at this stage and proof and relevancy of the document would be adjudicated in the later stage. Therefore, considering that fair opportunity should be given to Plaintiff/Defendant to prove his defence, this court is inclined to allow this petition in the interest of justice.

In the result, this petition is allowed. No cost.

This order dictated by me to the steno-typist typed by him, corrected and pronounced by me in the open court this the 04th day of July 2026.

District Munsif,
Lalgudi.

Petitioners side witness and evidence - Nil

Respondents side witness and evidence – Nil

District Munsif,
Lalgudi.