

IN THE COURT OF THE DISTRICT MUNSIF, PONNERI.

PRESENT: Selvi.A.Keerthana, B.A., L.L.B.,
District Munsif, Ponneri.

Saturday, the 25th day of October 2025.

I.A. NO.7 OF 2025
IN
O.S. NO.120 OF 2011

Nethaji

..... Petitioner/Plaintiff

Versus

1. Tamilnadu Merchantine Bank Ltd., rep.
by its General Manager,
2. The President V attara Nadar Aikiya Sangam, Redhills.
3. M/s.Intrepress Pvt Ltd., Rani Building.
4. M/s.Hibiscus Enterprises Pvt.Ltd., Boopathy Building.

..... Respondents/Defendants

This petition came on 22.10.2025 before me for final hearing in the presence of Mr.E.Masilamani, Learned counsel for the petitioner/plaintiff and Mr.N.Baaskaran, Learned counsel for the 4th Respondent. The Respondents 1 and 2 were set exparte in this petition. The 3rd respondent was already set exparte in the suit, hence notice to him was dispensed in this petition. Upon hearing both sides and on perusal of the material case records, this Petition having stood over for consideration till this day, this Court delivers the following:

ORDER

This petition has been filed by the petitioner under Order VII Rule 14(3) of CPC to receive the documents filed along with this petition.

2. Brief averments of the affidavit filed by the petitioner are as follows:

The petitioner herein is the plaintiff in the suit, which has been filed seeking a declaration and permanent injunction. The suit is currently at the stage of marking documents on the plaintiff's side. The petitioner submits that he was unable to file the

documents earlier due to difficulties in collecting them. The delay caused is neither wilful nor wanton. Hence, this petition.

3. Brief averments of the counter filed by the Respondent are as follows:

The respondents submit that the petitioner seeks to obtain the receipt of dividend issued by the 1st respondent from 10.11.2011 to 03.03.2018. It is clear that the petitioner has been in possession of the aforementioned document since 2011 and has not brought it to the notice of this court. Another document is a letter dated 28.06.2011, sent by the 1st respondent to the petitioner. Therefore, after a period of 14 years, the petitioner now files this petition to delay the proceedings. The respondents, therefore, pray for the dismissal of this petition.

4. The Respondents 1 and 2 were set exparte in this petition. The 3rd respondent was already set exparte in the suit, hence notice to him was dispensed in this petition.

5. Evidences :-

Neither the petitioner nor the respondent has placed any oral or documentary evidence before this court.

6. Point for Determination :

Whether this petition can be allowed or not.

7. DISCUSSION AND FINDINGS :

Heard. Records perused. The petitioner, by way of this petition, seeks to submit documents that could not be filed earlier in the suit. The suit is presently at the stage of marking documents on the plaintiff's side. The respondents object to this petition, stating that the plaintiff was already in possession of the documents sought to be submitted. This suit dates back to 2011, and in the interest of justice, as well as to

prevent multiplicity of proceedings, the court is inclined to allow this petition. The relevancy, admissibility, and proof of the documents cannot be determined at this stage. It is pertinent to note that, should this application be allowed, the respondents will still have an opportunity for cross-examination and to challenge the veracity of the evidence presented by the petitioner. Considering these factors and to further the ends of justice, this court is inclined to allow the petition, as no prejudice will be caused to the respondents. Furthermore, the marking of the documents is subject to the proof, admissibility, and relevancy of the same to the case. In light of the above, the court is inclined to allow this petition.

8. Result :

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

Dictated by me to the steno-typist, directly typed by her in her desktop, corrected and pronounced by me in the open court, on this the 25th day of October 2025.

**DISTRICT MUNSIF
PONNERI**

Both side witnesses and documents:- NIL

**DISTRICT MUNSIF
PONNERI**

Fair/ Draft Order
I.A.No.7/2025
O.S.No.120/2011
Date:25.10.2025
DMC,PNI.