

IN THE COURT OF THE DISTRICT MUNSIF, PONNERI.

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

Wednesday, the 24th day of June 2026.

I.A.No.7 of 2026

In

O.S. NO.152 of 2015

S.Kannima

..... Petitioner/Plaintiff

Versus

1. P.Kumar
2. Mageshwarikumar
3. K.Jayachithra

..... Respondents/Defendants

This petition came up before me for final hearing on 19.06.2026 in the presence of Mr.G.Nanthagopal, Learned counsel for the Petitioner/plaintiff and Mr.R.Sekar, Learned counsel for the Respondents. Upon hearing both sides, on perusal of the material case records, this Petition having stood over for consideration till this day, this Court delivers the following:

ORDER

1. This petition has been filed under Order VII Rule 14(3) of Civil Procedure Code to receive the documents.

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

The petitioner herein is the plaintiff in the suit. The above suit is posted to further evidence of plaintiff's side for which the petitioner filed this petition for seeking permission to let in further documents along with her husband proof affidavit of chief Examination of PW2, in which the petitioner further introduce the documents of rental agreements entered by the petitioner father on various dates, in which said Packriswamy signature is very differ in the alleged Will produced by the defendants side. In order to disprove the same only for disputed signature purpose, the petitioner filed those documents which are narrated and listed along with this petition may be

receive the same and marked on the plaintiff's side to compromise the same. Hence this petition is filed with real truth of facts on the case in hand. Those documents are very vital but those documents are collected from the petitioner house while cleaning home. Therefore, in order to meet out the false allegations made in their statement in the main suit it is necessary to disprove on the part of her side. This application to create leave this court permit to file and receive the same on the side of the petitioner, or otherwise she will be put to much hardship and inconvenience. Hence this petition.

3. Brief averments of the counter filed by the respondents 1 and 2 are as follows:

The respondents submit that the husband of the petitioner is not at all a party to the above suit and he has no locus-standi to mark the petition document. The respondents submit that in the above suit, through PW1 the Will dated 09.12.2009 was marked on 19.09.2025 as exhibit B1 and the petitioner as PW1 in her cross examination in paragraph 18 dated 19.09.2025 admitted as she has paid amounts to her brother and sisters as stated in exhibit B1 and hence the Will acted upon that is why she insisted her husband to file proof affidavit for marking of the petition mentioned documents only to dispute the Will, through her husband. Except the legal heirs of the Testator, no one can be dispute Will and hence the husband of the petitioner has no locus standi to dispute the Will. The husband of the petitioner has filed IA.No.6 of 2026 and wanted to mark this petition mentioned document and that application was dismissed after contest but again the petitioner filed the application along with the proof affidavit of her husband only to drag on the proceedings. The petitioner in her cross examination admitted Exhibit B1 Will and hence she has no face that is why she want to mark the petition document through her husband. Hence prays for dismissal.

4. Evidence :

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

5. Point for determination :

Whether this petition can be allowed or not.

6. Discussion and findings :

In the present case, the petitioner, who is the plaintiff, has filed a suit seeking the declaration and permanent injunction. The petitioner seeks to receive some of the documents as listed in this petition. On the other hand, the respondent has disputed the admissibility of these documents, arguing that they are not relevant or should not be considered at this stage. However, the court notes that determining the relevancy or admissibility of the documents requires a detailed examination of evidence, which can only be done during the trial. The relevancy or the admissibility of the documents cannot be decided at this stage as it requires detailed evaluation of evidence. It is pertinent to view that if this application is allowed the respondents would still have an opportunity for cross examination and to test the veracity of the evidence placed by the petitioner. Considering the above aspects and in the interest to meet the ends of justice this court is inclined to allow this petition whereby no prejudice would be caused to the respondent. Moreover, the marking of the said documents is subject to the proof, admissibility and its relevancy to the case. Considering the above, this court is inclined to allow this petition.

7. Result :

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

Dictated to the steno-typist, directly typed by her in the desktop, corrected and pronounced by me in the open Court on this the 24th day of June 2026.

District Munsif,
Ponneri.

Both side witnesses and documents:- NIL

District Munsif,
Ponneri.

Fair/ Draft Order
I.A.No.7/2026
O.S.No.152/2015
Date: 24.06.2026
DMC, PNI.