

IN THE COURT OF THE DISTRICT MUNSIF, TIRUTTANI

Present : Tmt. R.D. Gurulakshmi, M.A., M.L., P.G.D.I & C.L.,

District Munsif, Tiruttani.

Dated the Thursday of 27th Day of March 2025

I.A.No.4/2025 in OS.No.6/2019

(CNR.No.TNTR21-000010-2019)

...

Kanniyappan

...Petitioner/Defendant

/Versus/

Sadhasivam

Respondent /Plaintiff

This petition came up before me for final hearing on 18.03.2025 in the presence of M/s. S. Karthikeyan, E. Thanigairaj, Advocates for Petitioner/ Defendant, M/s. V. Partasarathy, B. Jamuna, Advocates for Respondent/ Plaintiff. Upon hearing both sides and having stood over for consideration till this day, this court delivered the following:

ORDER

This petition is filed under Order 8 Rule 1A(3) of CPC to receive additional documents.

1. The averments of the petition in brief are as follows:-

The petitioner has applied the petition document from Revenue authorities. Now only the petitioner received the same. The said documents are necessary to prove the petitioner's case. Hence, this petition is filed.

2. The counter filed on behalf of the Respondent in brief:-

The petition is not maintainable either in law or on facts of the case. The petition mentioned document is vague. Since on perusal of document, there is any particulars regarding, whether the petitioner is beneficiary of the plot, which serial number his name was mentioned, award particulars, who sanctioned that document, these are all create big question mark. Moreover if that alleged genuinity certificate issued on perusal of original records, in that genuinity certificate, the AWD department definitely will mention entire particulars in the Genuinity certificate. But the petitioner filed Genuinity certificate not contained any of the detailed stated supra.

(b) The Genuinity certificate's genuinity is questionable one, hence this

petition has to be dismissed and may be reject that document. There is no reasons stated in this petition for delay and without any reasons the petitioner simply filed the above petition only to cheat this respondent. The petition is very vague and untenable one, only to prolong the proceedings the petitioner filed this petition. Hence the above said petition has to be dismissed.

3. Point for determination:

Whether the petitioner is entitled to the relief as sought for? or not?

4. According to petitioner, he got the document from Revenue authorities. The said document is necessary to prove the petitioner's case. Hence, the petitioner prays to allow this petition. The Respondent resisted the petition by contending that the Genuinity certificate's genuinity is questionable one. There is no reasons stated in this petition for delay and without any reasons the petitioner simply filed the above petition only to cheat this respondent. The petition is very vague and untenable one. Only to prolong the proceedings the petitioner filed this petition. Hence the respondent prays to dismiss this petition.

6. Heard both sides. This petition filed by the petitioner seeking permission for receiving additional documents. This case is pending for Dw1 chief continuation. Considering the fact and circumstances, no prejudice would be caused to the respondent, as the respondent will have opportunities to cross examine the witness as to the documents sought to be filed by the petitioner. Hence, in the interest of justice, to prevent multiplicity of proceedings, to provide the petitioner an opportunity to prove his case and for proper adjudication of the case, this petition has to be allowed.

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

Dictated to my Steno – Typist, typed by her directly in computer, corrected and pronounced by me in open court, this the 27th day of March 2025.

District Munsif,
Tiruttani.

Petitioners and Respondent side Exhibits and witness: NIL

District Munsif,
Tiruttani.