

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 Thurs of 3rd Day of April 2025

I.A.No.8/2025 in IA.No.2 OF 2024 in OS.No.12/2024

(CNR.No.TNTR21-000012-2024)

...

1. M. Babu
2. M. Soundarajan
3. M. Annadurai
4. M. Gajendiran
5. M. Devendiran
6. M. Viswanathan
7. C. Ravichandran
8. C. Magendiran

... Petitioner /Respondents/Defendants

/Versus/

1. D. Selvi
2. G. Usha
3. K. Sasikala

... Respondents/Petitioners /Plaintiffs

This petition came up before me for the final hearing on today in the presence of M/s. A.R. Poovannan, Advocate for Petitioners/Defendants and M/s. C.A. Natarajan, S. Gunasekeran, Advocates for Respondents. 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 the documents in IA.No.2/2024.

1. Petition averments in brief:-

The Respondents/ plaintiffs filed the suit against the petitioners/ defendants for permanent Injunction along with in IA.No.2/2024. The case was posted for orders in IA.2/2024 dated 18.03.2025. Meantime some more documents have to be filed to prove the petitioner's case. Hence this petition.

2. Counter filed on behalf of the respondents in brief:-

This petition is not maintainable either in law or on facts. The suit is posted to 19.03.2025 for orders and the suit was posted for respondents side enquiry, they could not file their documents without any reason. The petitioners did not file valid documents

to prove their case. There is no bonafide merits in this petition. Hence the above petition has to be dismissed.

3. Point for determination:-

Whether the petitioners are entitled to the relief as sought for? or not?

4. Heard both side. According to the petitioner, the case was posted on 18.03.2024 for orders in the injunction application. When the case was posted for respondent's side enquiry, the petitioner could not file their side documents. Hence the petitioners pray to allow this petition. Respondents resisted the petition by contending that the petitioners could not file their documents without any reason. The petitioners did not file valid documents to prove their case. There is no bonafide merits in this petition. Hence the petition has to be dismissed.

5. On perusal of records, on 07.02.2025 petitioner side enquiry heard and posted to respondents side enquiry. On 19.02.2025, 05.03.2025 when the case is posted for respondents side enquiry these petitioners/respondents not ready for enquiry. Hence respondents side enquiry closed and the case was posted to orders on 18.03.2025. This petition filed by the petitioner seeking permission to receive the documents in IA.No.2/2024. Considering the fact and circumstances of this case, this court is of view that in the interest of justice to provide the petitioners an opportunity to prove their case, to prevent multiplicity of proceedings 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 3rd day of April 2025.

District Munsif,
Tiruttani.

Both sides Exhibits and Witnesses :- Nil

District Munsif,
Tiruttani.