

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 Friday of 10th Day of October 2025

I.A.No.10/2025 in OS.No.43/2021
(CNR.No.TNTR21-000043-2021)

...

1. P. Ramachandran

2. P. Manokaran

... Petitioners / Plaintiffs

/Versus/

1. Pulipadu Jayaraman

2. Pandian

3. Sridhar

4. The District Registrar, Kancheepuram.

5. The Sub Registrar, Tiruttani

6. The Inspector General of Registration, Chennai

... Respondents/ Defendants

This petition came up before me for the final hearing on 22.09.2025 in the presence of M/s. P.C. Santhiyarani, B. Chandrean, V. Veera Ragavan, S. Swarnalatha, Advocates for Petitioners/Plaintiffs, M/s. A. Venugopal, D. Nagaraj, Advocates for 1 to 3 Respondents / 1 to 3 Defendants, R4 to R6 were set exparty in suit. 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 18 Rule 17 of CPC to recall the Pw1 for receiving additional documents.

2. The averments by petitioner in brief:-

(a) The case is posted for argument. The plaintiff is a bonafide purchaser of the suit property. The petitioner is in possession and enjoyment the suit property and issued patta in favour of the petitioner by the revenue authorities. While so the Highways department acquired some portion of the suit properties in the year 2013 and after verifying all documents and passed compensation award amount to petitioner.

(b) The 1st defendant filed a Writ petition before the Hon'ble High Court, Chennai under writ petition No.11185/2023 against the petitioner and Revenue officials, Highways Department praying to quash Na.Ka.No.33/2023 dated 15.02.2023 and to return the award amount to the 1st Respondent on the basis of the forged Will. The Writ petition was dismissed on 05.11.2024. But the same was not informed to the petitioner by their High Court counsel. Now only the petitioner came to know about the dismissal of writ petition. Hence the petitioner wants to mark the copy of order passed by High Court. The petitioner received the order copy on 25.08.2025. Hence, the petition.

3. The counter filed on behalf of the 3rd Respondent and adopted by Respondents 1 and 2 in brief:-

(a) This petition is not maintainable either in law or on facts. This respondents denied the allegations made in the affidavit which are all absolutely false and baseless and invented the same for the purpose of false claim over the suit property. The above case the full trial was completed and posted for arguments. At this stage the petitioners wants to fill up the lacuna of the case filed this petition. Moreover there is no pleading at all in the plaint regarding the writ petition. It is no way related to the suit property. Hence the respondents are strongly objected to mark the order copy of writ petition.

(b) If this petition is allowed, the petitioners wantonly adduce their evidence to fill up the lacuna. So it is very clear that the document would not helpful the petitioners to prove their case. Further the suit also hit by limitation and the same has clearly established by the respondents in their written statement as well as in their evidence. There is no merits and bonafides reasons in this petition. The petitioners approached this court with unclean hands and they have suppressed the materials facts. The petitioners filed this petition with a malafide intention to drag on the proceedings and harass the respondent. So the petition has to be dismissed in limini.

4. Point for determination:

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

5. Heard both side. According to petitioner, the 1st defendant filed a Writ petition before the Hon'ble High Court, Chennai under writ petition No.11185/2023 against the petitioner and Revenue officials, Highways Department praying to quash Na.Ka.No.33/2023 dated 15.02.2023 and to return the award amount. The Writ petition was dismissed on 05.11.2024. The petitioner received the order copy on 25.08.2025. Hence the petitioner wants to mark the copy of order passed by the Hon'ble High Court. Therefore the petitioner prays to allow this petition.

6. Respondents resisted the petition by contending that the above case was posted for arguments. At this stage the petitioners wants to fill up the lacuna filed this petition. Moreover there is no pleading at all in the plaint regarding the writ petition. The document would not helpful for the petitioners to prove their case. Further the suit is also purely hit by limitation and the same has clearly established the respondents. There is no merits and bonafides reasons in this petition. The petitioners approached this court with unclean hands and they have suppressed the materials facts. The petitioners filed this petition with a malafide intention to drag on the proceedings and harass the respondent. Hence the respondents pray to dismiss this petition.

7. On perusal of record, at the stage of argument, this petition was filed. Pw1 originally examined on 07.06.2024 and Pw1 cross completed on 12.08.2024. On 20.08.2024 Pw2 examined in chief and cross examined on 30.08.2024. This case was posted to further plaintiff side evidence. On 22.10.2024 Pw3, Pw4 examined in chief and Pw3, Pw4 cross examined on 09.12.2024.

8. On 02.01.2025 plaintiff side evidence closed on endorsement and this case was adjourned to defendant side evidence. On 05.02.2025 Dw1 examined in chief and cross completed on 09.04.2025. On 16.07.2025 Dw2 examined in chief and cross cross completed 25.07.2025. On 18.08.2025 defendant side closed on endorsement. Hence this case was posted for argument.

9. In this stage this petition filed to recall the Pw1 for receiving additional documents. There is no valuable reasons shown in this petition for the

delay. Even though considering the facts and circumstances, this court is of view that in the interest of justice, to prevent multiplicity of proceedings, to provide the petitioners an opportunity to prove their case and for proper adjudication of the case, this petition has to be allowed on costs.

In the result, this petition is allowed on condition that the petitioner has to pay a cost of Rs.1000/- to the 1 to 3 respondents on or before 17.10.2025 failing which this petition stands dismissed. Call on 17.10.2025.

Dictated to my Steno – Typist, typed by her directly in computer, corrected and pronounced by me in open court, this the 10th day of October 2025.

District Munsif,
Tiruttani.

Petitioners and Respondents side Exhibits and witness: NIL

District Munsif,
Tiruttani.