

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 Tuesday of 20th Day of January 2026

I.A.No8/2025 in OS.No.97/2014

(CNR.No.TNTR21-000069-2014)

...

1. K. Prabhavathi (died)

2. Santhosh

3. Yogalakshmi

...Petitioners/ 1 to 3 Defendants

/Versus/

1. A.M. Sidambram

... 1st Respondent / Plaintiff

2. V. Suseela

3. P. Anitha

... 2,3 Respondents / 4,5 Defendants

This petition came up before me for final hearing on 08.01.2026 in the presence of M/s. P. C. Shanyarani, Advocate for Petitioners/ 1 to 3 Defendants, M/s. N.G. Anbalagan and N.A. Vignesh, Advocate for 1st Respondent / Plaintiff, R2, R3 were remained exparty. Upon hearing both side 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 petition mentioned documents.

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

The case was posted for defendants side evidence. The petitioner has applied for certified copy of settlement deed, sale deeds and also some of the document obtained by RTI Act. The petition mentioned documents were obtained now only. The said documents are necessary in order to strengthen his case. Therefore the petitioner filed this petition.

2. The counter filed on behalf of the 1st Respondents in brief:-

The petition is not maintainable either in law or on facts. The respondents denies allegations stated in the affidavit all are false. There is an inordinate and willful delay caused by the petitioners in filing of this petition. Further

there is no sufficient reasons given in the affidavit. There is no proper and sufficient explanation given by the petitioners to the satisfaction for filing the documents at this stage. The petitioner is in possession and custody of the petition mentioned documents earlier stage itself. So he ought to have filed those documents along with the written statement. But the petitioner wantonly and willfully retained the said documents without filing the same at the time of filing of written statement. The petitioners intention is only to drag on the proceedings of the case. The documents No.7 to 9, 11 and 12 are no way related to the present case. Further the Documents No. 5 to 9, 11 and 12 is after filing the suit documents. Hence the documents cannot be marked, entertained and relied upon by this court. There is no merits, bonafides reasons in this petition. Hence this petition is liable to be dismissed.

3. Point for determination:

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

4. Heard both the side. According to the petitioners, the petition mentioned documents were obtained now only and they were necessary to prove the case of the petitioner. Hence the petitioners pray to allow this petition. 1st Respondent resisted the petition by contending that there is an inordinate and willful delay caused by the petitioners in filing of this petition. There is no proper and sufficient explanation given by the petitioners. The petitioners intention is only to drag on the proceedings of the case. The documents No.7 to 9, 11 and 12 are no way related to the present case. Further the Documents No. 5 to 9, 11 and 12 were obtained after filing the suit. Hence the documents cannot be marked, entertained and relied upon by this court. There is no merits, bonafides reasons in this petition. Hence the 1st respondent prays to dismiss this petition.

5. On perusal of record, this case was posted for defendant side evidence on 31.10.2025. On 12.11.2025 Dw1 was examined in chief and adjourned for Dw1 chief continuation. From 01.11.2025 this case was pending for Dw1 chief continuation. In this stage petitioner filed this petition to receive the petition mentioned documents. No valuable reasons shown in this petition for the delay.

Even though considering the fact and circumstances of this case, this court is of view that an opportunity has to be given to the petitioners to prove their case. Further, mere receiving of the documents will not give any advantage to the petitioners as the petitioners have to prove the validity of the documents. No prejudice would be caused to the respondent as the respondent will have ample opportunity to cross examine the witness as to the documents. Hence, 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.

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 20th day of January 2026.

District Munsif,
Tiruttani.

Petitioners and Respondents side Exhibits and witness: NIL

District Munsif,
Tiruttani.