

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 Wednesday of 26th Day of March 2025

I.A.No.7/2025 in OS.No.71/2022

(CNR.No.TNTR21-000094-2022)

...

M. Kalyana Kumar

... Petitioner / Plaintiff

/Versus/

1. D. Mani

2. K. Yeganathan

3. N. Vanaja

4. Y. Vani

... Respondents/ Defendants

This petition came up before me for the final hearing on 19.03.2025 in the presence of M/s. C.A. Natarajan, S. Gunasekeran, Advocates for Petitioner/Plaintiff, M/s. S. Karthikeyan, E. Thanigairaj, Advocates for Respondents/ defendants. Upon hearing both sides, upon perusing the entire records and having stood over for consideration till this day, this court delivered the following:

ORDER

This petition is filed under Order 7 Rule 14(2) of CPC to receive the documents.

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

The petitioner obtained his mother Muniammal death certificate recently. So there is delay in filing the same and it has to be condoned. It is not wanton and beyond is control. Hence, this petition is filed.

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

This petition is not maintainable either in law or on facts. This petition mentioned document is vague. Since on perusal of document, the delay did not mentioned in the petition. When the document was received by the petitioner and why the petition mentioned document not filed in time, the reasons are not mentioned in the affidavit. Hence this petition may be dismissed. 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. 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 receive the additional documents? or not?

4. Heard both side. According to the petitioner, the petitioner recently obtained his mother Muniammal's death certificate. Therefore the petitioner prays to allow this petition. Respondents resisted the petition by contending that 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. Only to prolong the proceedings the petitioner filed this petition. Hence the respondents pray to dismiss the petition.

5. On perusal of record, the case was posted for Pw1chief continuation. This petition filed seeking permission to receive the additional documents. Further, mere receiving of the documents will not give any advantage to the petitioner as the petitioner has to prove the validity of the documents. No prejudice would be caused to the respondents as the respondents will have ample opportunity to cross examine the witness as to the documents. Further the respondent may raise their objection at the time of marking of documents regarding maintainability. Hence, this court is of view that in the interest of justice, to prevent multiplicity of proceedings, to provide the petitioner an opportunity to prove his 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 26th day of March 2025.

District Munsif,
Tiruttani.

Petitioners and Respondent side Exhibits and witness: NIL

District Munsif,
Tiruttani.