

**IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE (FTC),
VELLORE, VELLORE DISTRICT.**

**PRESENT: Thiru.P.V.Sandilyan, M.L.,
Additional District Judge (FTC), Vellore.**

Monday, the 22nd day of June, 2026

I.A. No.4/2026 in I.A.No.2/2025 in O.S.No.68/2013

1. P. Ambiga
2. P. Abinaya

. . . Petitioners/Proposed parties 1 & 2

/Vs/

1. Pudumai (Died)
2. Geetha
3. Lavanya
4. Jeeva
5. Aravinth

. . . Respondents/Plaintiffs 1 to 5

/Vs/

1. Valliammal (Died)
2. Perumai (Died)
3. Amaithi
4. Anjugam
5. Jayakodi
6. G.Ravichandran
7. A.Bharath
8. Sagunthala

. . . Respondents/Defendants 1 to 8

This petition came up before this court for final hearing on 16.06.2026, in the presence of Tr.K.Mohan, counsel for the petitioners; Tr.K.M.Boopathi, counsel for the 6 to 8 respondents; 2 to 5 respondents was called absent set exparte, and upon hearing the arguments of both sides, upon perusal of case records and having stood

over for consideration till this date, this court delivers the following:-

ORDER

This petition has been filed by the petitioners under Order VII Rule 14 r/w Sec.151 of C.P.C. to receive the additional document on the side of the petitioners in I.A.No.2/2025 in O.S.No.68/2013.

2. The brief averments of the affidavit are as follows:-

The petitioner is the 1st proposed party in the above said I.A.No.2/2025. The petitioner filed the above Interlocutory application seeking impleadment in the above suit, which is presently pending at the stage of enquiry / arguments. At the time of filing the original impleadment application, the petitioner was not in possession of the Revenue Authority's order, which is now sought to be produced as an additional document. The said Revenue Authority order was issued during the pendency of the enquiry, and despite his best efforts, he could not obtain the original / certified copy at the earlier stage. The petitioner now received the original order from the concerned Revenue Officials, and the same is material and necessary for proper adjudication of the issues involved in the implement application. That the non production of the said document earlier was neither wilful not intentional, but occurred due to circumstances beyond his control. The additional document has a direct bearing on his right and claims in the suit, and denial of permission to produce the same would cause grave prejudice and irreparable hardship. No prejudice will be caused to the respondents if the

additional document is received, whereas serious injustice would be caused to him if this petition is dismissed. Hence the petitioner prays to receive the additional document now produced by the petitioners, namely the original order issued by the Revenue Authority, and mark the same as an additional document on the side of the petitioners in I.A.No.2/2025 in O.S.No.68/2013.

3. The brief averments of the Counter filed by the 8th Respondent, adopted 6 & 7th respondents are as follows:-

The petitioner's application was unsustainable either in law or on facts. The respondent denied each and every allegation made in the affidavit as the same is totally false. No sufficient cause has been shown for filing of the additional documents. The above said documents are invalid documents and were all created only for the purpose to drag on the proceedings. The above said impleadment application was posted for arguments on several times but the petitioner wantonly not turned up. Now after it was posted for orders, this petition was filed. The legal heir ship was already decided in I.A, and the petitioner cannot maintained this application. There is no merit or bonafide in the present petition. Hence prays to dismiss the petition.

4. The 2 to 5 respondents were set exparte.

5. There is no oral evidence, no documents marked on both sides.

6. The point for consideration in this petition is, ***whether this petition is to be allowed or not?***

7. Point:-

7.1 The petitioners who are proposed parties filed the petition under Order 1 Rule 10 of CPC to implead them in the suit as defendants 9 and 10. Originally the respondents 1 to 5 filed the suit for partition and injunction against the respondents 6 to 13 claiming they are legal heirs of Govinda Goundar being a Hindu undivided family they entitled for 1/6th shares in the suit property.

7.2 This petitioners in the impleading petition under Order 1 rule 10 of CPC contending that the second defendant in the main suit is the husband of first proposed party and second proposed party is the daughter of second defendant Perumai and the first proposed party. The proposed parties challenging the averments stated in the plaint that 8th defendant is not the legal wedded wife of the second defendant and to prove the above said factum that the proposed parties are legal heirs of the second defendant Perumai they need to produce the cancellation of legal heirship certificate by this Order 7 Rule 14 CPC petition. Further the petition mentioned document Revenue Authority order which is to be produced as an additional document is issued pending the enquiry.

7.3 The objection raised by the eighth defendant is that no sufficient cause has been shown for the additional document and it is invalid document created only for the purpose to drag the proceedings. The main objection raised by the respondents / defendants 1 to 8 that the petitioner is drag in the proceedings. The petitioner stated that cancellation of legal heirship certificate issued by the RTO

Gudiyatham on 24.01.2024 about cancelling legal heir ship certificate issued only against eighth defendant as the wife of second defendant. Whether the petition mentioned document is valid or created will be decided in the main suit.

7.4 Even if the petition is allowed no prejudice would be caused to the respondent / defendants 1 to 8, they can very well challenge the genuineness, authenticity of the petition mentioned document. Considering no objection endorsed by the plaintiffs and also the objection raised by the defendants 1 to 8 the delay, this petition deserves to be allowed for the reason the proposed parties must be provided an opportunity to prove their case.

In the result, this petition is allowed, the petition mentioned documents is ordered to be received in to evidence, subject to proof, relevancy and admissibility. There shall be no order as to costs.

Dictated to the Steno-Typist, directly typed by her, corrected and pronounced by me in the Open Court, on this the 22nd day of June, 2026.

**Additional District Judge (FTC),
Vellore.**

Both side Witnesses and Exhibits:- - NIL -

**Additional District Judge (FTC),
Vellore.**