

**BEFORE THE PRINCIPAL DISTRICT COURT
VELLORE DISTRICT**

Present:- Thiru.M.Elavarasan
Principal District Judge

Monday, the 08th day of June, 2026

I.A.No.01 of 2026
in
O.S.No.108 of 2025

Aarthi

. . . Petitioner/ Plaintiff

-VS-

1. M.Sulaiman @ Vinodh Kumar

2. R.Mohan @ Iqbal Farooq

. . . Respondents/Defendants

This petition was coming before me today 05.06.2026 for final hearing in the presence of Thiru. S.Balaji, counsel for the petitioner and, of Thiru L.Pandurangan, counsel for the respondents and, upon hearing the enquiry of the both sides and, upon perusing the relevant records, this court passes the following :-

O R D E R

Petition is filed under Order 7 Rule 14(2) r/w Sec. 151 of CPC to condone the delay in filing documents and receive the said documents and for orders.

2. The brief facts from the petition is that the petitioner is the plaintiff in the above suit and filed the suit for declaration, consequential

injunction along with declaration of document as null and void regarding the suit properties and the same is pending for trial. At the time of filing the suit, the petitioner filed photo copies of certain documents relating to the suit property standing in the name of the deceased Alamelu Ammal. The original documents and certain other relevant documents are in the custody of the petitioner. The said documents are necessary for proper adjudication of the case. The delay in filing this application is neither wilful nor wanton. There is no intention to delay the proceedings and the petitioner is ready to proceed with the trial. Hence, the petition .

3. Brief counter of the respondents is as that the respondents the petition is devoid of merits and liable to be dismissed. The petitioner / plaintiff has failed to produce the documents along with the plaint and has not assigned any valid or sufficient reason for such non-production as required under law. The suit has already progressed and issues have been framed. At this belated stage, the plaintiff seeks to introduce documents which were admittedly within his knowledge, possession and custody at the time of filing of the suit. The present application is therefore an attempt to fill up the lacunae in the plaintiff's case and amounts to an abuse of process of Court. The genuineness, authenticity and admissibility of the documents sought to be produced are seriously

disputed. The respondents have reason to believe that some of the documents have been subsequently created or manipulated and the same require strict proof in accordance with law. Permitting the production of such disputed documents at this stage would cause serious prejudice to the respondents. The petition has been filed only to protract the proceedings and overcome the weaknesses in the plaintiff's case. Hence, the petition is liable to be dismissed.

4. Heard both sides. Perused the records. Considered the submissions raised by both sides.

5. The point for consideration in this petition is whether the petition to condone the delay in filing the petition mentioned documents is to be allowed or not?

6. The petitioner / plaintiff filed this petition to condone the delay in filing the petition mentioned documents and permission to receive the same as evidence. The respondents / defendants opposed the said petition stating that the said documents are created, manipulated by the plaintiff and that the plaintiff has not stated valid reason for not filing the said documents at the time of filing the suit.

7. Perusal of records would go to show that the petitioner / plaintiff filed the suit for declaration and consequential injunction and also to

declare the sale deed dated 16.05.2025 as null and void. The suit has been filed in the year 2025 and trial has yet to be commenced. Now the petitioner filed 10 documents and prays to condone the delay of filing the said documents and to receive the same. Out of the 10 documents, Document No.1 and 3 were already filed along with the plaint and now the original document alone is filed. As far as the documents no.2, 4 to 10 are concerned, they are the patta standing in the name of Alamelu, i.e., the mother of the plaintiff namely Alamelu in respect of the Item No.1 of the property. The Building Plan in the name of Plaintiff's mother Alamelu, Gass Book, Gass bills, the Gas Book, Aadhar Card, Ration Card, and Bank Passbook of Plaintiffs are also filed along with the petition.

8. As per the plaint and written statement averments, the defendants are brother and father of the plaintiff and the said Alamelu is the mother of the plaintiff. No, doubt the Sale Deed and Patta related to suit property. The other documents are filed as proof of identify. The defendants contends that the petition mentioned documents are created by the plaintiff for illegal gain and the same cannot be received as evidence. Admittedly, trial has not been commenced in this case and at this stage, there would no prejudice caused to the respondents in allowing the petition. The respondents are having

sufficient chances to cross examine the plaintiff in respect of the petition mentioned documents during the course of evidence. Such being the facts and circumstances of the case, this Court is of the view that the petitioner can be permitted to produce the documents subject to proof and relevancy of the documents, which can be decided at the time of marking, so as to balance the rights of both parties. Hence, at this stage, in the interest of justice, in order to avoid multiplicity of proceedings, this this Court is inclined to allow this petition, and accordingly, petition is liable to be allowed and thus the point is answered.

9. In the result,

(i) this petition is allowed.

(ii) That the petition mentioned documents are ordered to be received as petitioner side documents subject to proof and relevancy, which can be decided at the time of trial.

(iii) No cost.

-X-X-X

Dictated to the Steno-typist, typed by him directly, corrected and pronounced by me in the Open Court, on this day the 08th day of June, 2026.

Principal District Judge
Vellore District

Annexures :- NIL

P D J
Vlr