

**IN THE COURT OF DISTRICT MUNSIF, GUDIYATTAM,  
VELLORE DISTRICT.**

Present: **Tr.K.Karthick Asath, B.A.,B.L.,(Hons),LLM.,**  
District Munsif,  
Gudiyattam.

Friday, this the 10<sup>th</sup> day of October 2025

**I.A. 03/2025**  
**in**  
**O.S.No. 155/2015**

Harikumar .... Petitioner/ Plaintiff

// Versus //

Prakasam .... Respondent/ Defendant

This petition came up on 18.09.2025 before me for final hearing in the presence of Thiru.K.Moganaraju, Advocate for Petitioner and the respondent set exparte on 02.09.2025 for non filing of counter and upon perusing the case records and having stood over for consideration till this day this court delivered the following.

**Order**

Petition filed under Order 16, Rule 1(3) and Section 151 of Code of Civil Procedure to permit us to examine the Tahsildar Pernambut Taluk on our side witness and to mark the documents and pass such further orders as deem fit and proper in the circumstances of the case.

**1. The averments of the petitioner in the application:-**

The petitioner state that above case is pending for examination of witness on his side. Further Tahsildar, Pernambut Taluk has to be examined to prove our case and the documents has to be marked pertaining

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to the suit property and for that the Tahsildar has to be examined in petitioner side witness and documents has to be marked through him. Hence the petitioner filing this petition to permit him to examine the Tahsildar, Pernambut and to mark the documents. No prejudice will be caused to the other side if this petition is allowed. Therefore it is prayed that this Hon'ble court may be pleased to permit us to examine the Tahsildar, Pernambut Taluk on our side witness and to mark the documents and pass such further orders. Hence prays to allow the petition.

2. The respondent side failed to file counter hence respondent set exparte on 02.09.2025.

3. Petitioner side enquiry heard.

**4. Point for consideration:-**

Whether this application are liable to be allowed ?

**5. Evidence:-**

Neither of the parties to this application have adduced any oral or documentary evidence.

**6. Discussion:-**

On considering the submissions made by the both counsels and perusing the available records this court delineate and proceeds its findings based on the following discussion.

**6.1.** On perusing the available records, the present suit O.S.155/2015 is filed by the petitioner against respondent for permanent injunction and

the suit pending for further plaintiff side evidence. On plaintiff side PW1 to PW3 are already examined and Ex.A1 to A10 are marked including Patta, Chitta, Adangal and Tax receipts. At present this present petition is filed to seeking permission to examine the Pernambut Tahsildar as plaintiff evidence.

**6.2.** In the accompanying affidavit the petitioner/plaintiff submit that “to prove our case and the documents has to be marked pertaining to the suit property and for that the Tahsildar has to be examined in my side witness and documents has to be marked through him”. On perusing the above affidavit it is not specified what is the nature of the documents are has to be marked through the Tahsildar and what is the purpose for marking those documents are not mentioned. It is a formal petition without mentioning the particulars regarding the documents which are intend to be marked by the petitioner. While already Patta, Chitta, Adangal and Tax receipts are filed and marked by plaintiff himself as Ex.A1 to A10, what is the purpose to examine the Tahsildar is not specified in the affidavit.

**6.3.** Further submit that this suit is already pending for more than 10 years and the trial is commenced from 22.06.2016 but the plaintiff side evidence was not yet completed. On considering the docket orders it is show with intent to prolong the suit the plaintiff/petitioner is filing these kind of applications. On considering the above discussion the petition filed by the petitioner is formal one and groundless. Hence this court not inclined to allow this petition.

**7. Result:-**

As a result this petition is dismissed without cost.

Dictated to Steno typist directly, typed by him corrected and pronounced by me in the open Court on this the 10<sup>th</sup> day of October 2025.

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Gudiyattam.**

**Petitioner side Witnesses & Exhibits :-** Nil

**Respondent side Witnesses & Exhibits :-** Nil

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Gudiyattam.**