

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

Present : Thiru.M.N.Rajanandhivarmasiva, B.E., M.L.,

District Munsif, Gudiyattam.

Tuesday, the 15th day of April 2025

IA. 3/2022 IN IA. 1/2022 IN OS.14/2021

CNR.No.TNVL10-000291- 2020

Arulmigu Pillayar (Koils) Temples at
Chinalapalli and Thattaparai Village,
Rep., by It's Parambarai (Hereditary)
Dharamakathas Venkatesan son of
Govindasamy, Chinnaraj Son of
Munisamy and Yuvaraj Son of M.Settu

.....Petitioners/Plaintiffs

// Versus //

1. Devaraj
2. Dharani
3. Sankar
4. Pichandi
5. Govindaraj
6. Vinyagam
7. C.A.Ekambaram
8. Meganathan
9. K.V.Saravanan
10. C.S. Ekambaram
11. Prabhu
12. P. Saravanan
13. T.V.A. Govindasamy

...Respondents/Defendants .

This petition came up on 15-04-2025 before me for final hearing in the presence of **Thiru.G.Ramachandran** Advocate for the Petitioners and **Thiru.M.Chandramouli** Advocate for the R1 to R4 and

Thiru. S.Chandrasekar Advocate for the R5 to R13 Respondents upon hearing both sides and having stood over for consideration, this court delivered the following.

ORDER

Petition filed Under Order 7 Rule 14 (3) of CPC

1. Brief Averments of the Petition : -

1.1 Plaintiff /Petitioner filed documents along with this petition and the same are taken and sent subsequent to the filing of the petition and hence they could not file along with the petition. It is not wantonly the delay occurred in filing the petition schedule mentioned documents is neither wilful nor wanton but due to the above said reasons. It is therefore humbly prayed that this Hon'ble Court May be pleased to excuse the delay that occurred in filing the petition schedule mentioned documents and admit the same to render justice as otherwise I will be put to hardship and loss.

2. Brief Averments of the Counter filed by the 3rd Respondent :-

(Adopts by the Respondent Nos 1, 2 and 4)

2.1 The Petitioner should prove the subject and relevance of the documents they filed before this court and also the Xerox copy of the documents are not a permissible documents and they are not have any valid before the law.

The petitioner suppressed the real facts and filed this petition the petitioner did not states the real reasons for why the delay was happen it is the bounded duty to the petitioner to show the reasonable cause to the delay of every single day but the petitioner evaded to do so, and the petitioner did not filed an single proof to prove there averments mentioned in the petition and accompanying affidavit. It is therefore prayed that this Hon'ble court may be Pleased to dismiss the petition with cost under the circumstances of the case.

No documents or evidences produced or adduced on either side.

III. Point for Considerations: -

1. Whether the petition is to be allowed or not?

This Court perused the petition mentioned documents filed by the petitioner. This Court forms opinion that the reason stated by the petitioner in his affidavit is acceptable in nature. Further, this Court on perusal of the above documents found that the same would be relevant to decide the matter in issue between the parties and would be necessary in order to arrive a final conclusion in this case. Mere receiving of documents would not amounts to adjudication of the rights of the parties, as the relevancy and admissibility of the documents can be considered at time of trial. Further the petitioner should also be provided with an opportunity to substantiate his case. Hence, this Court in the interest of justice and to avoid multiplicity of proceeding inclined to allow this petition.

In the result this petition is allowed no order as to cost.

Directly typed by me in chamber desktop corrected and pronounced by me in the open Court on this the 15th day of April 2025

**Sd/-Thiru.M.N.Rajanandhivarmasiva
District Munsif,
Gudiyattam.**

Both sides Witnesses and Exhibits :- Nil

**Sd/-Thiru.M.N.Rajanandhivarmasiva
District Munsif,
Gudiyattam.**