

**In the Court of the Principal District and Sessions Judge,
Virudhunagar District at Srivilliputtur
Present:-Thiru.K.Jeyakumar, B.L.,L.L.M.,
Principal District and Sessions Judge,**

Thursday, the 19th day of February 2026

I.A.No.1/2025

in

O.S.No.191/2023

Vairam

... Petitioner/ Defendant

/Vs/

K.Venkatachalapathy

... Respondent/Plaintiff

This petition coming before me for hearing on 10.02.2026 in the presence of Tr.K.Ravikumar, Advocate for the petitioner and Tr.K.Ponnuchamy, Advocate for the Respondent and upon hearing the argument of both the side and perusing the records this Court delivered the following,

ORDER

The petitioner has filed this petition under Order 8 Rule 1 (A) and 151 of CPC prays to condone the delay in marking the petitioned mentioned documents as exhibits on the side of the Defendant.

2) The petitioner/defendant contended that in the original Suit, the petitioner has appeared through his counsel and he is contesting the case. To prove that the Plaintiff's case is false, he had to obtain certified copies from the Judicial Magistrate Court, Sivakasi, which caused some delay. Also, while cleaning his house, some important documents were mixed with other papers and were found only recently after searching. Due to

these reasons, he could not file those documents along with the written statement in time. The delay was not intentional but due to unavoidable reasons. Therefore, he requests this Court to condone the delay, accept the documents, and permit them to be marked as exhibits on his side. If the petition is dismissed, he will suffer serious loss and his case will be affected. No loss will be caused to the Respondent/Plaintiff if this petition is allowed. Hence, he prays that this Court may be pleased to allow this petition.

3) The Respondent/Plaintiff denies all the allegations except those specifically admitted. The petitioner is put to strict proof of his claims. The reasons assigned for the delay in obtaining certified copies from the Judicial Magistrate Court, Sivakasi, have not been substantiated. The allegation that the documents were misplaced while cleaning the house and found only recently is false and unproved. Further, the documents filed are not certified copies as claimed. Documents Nos.1 to 4 were already in the possession of the petitioner and are not relevant to the present suit. O.S. No.142/2022 filed before the District Munsif Court, Sivakasi, was already dismissed. The order copy in I.A. No.02/2022 is also unrelated to this suit. The petition has been filed only to protract the proceedings. Hence, the petition deserves to be dismissed.

4) The point for consideration in this petition is whether the petition is to be allowed or not?

5) Heard. Record perused. The suit is for recovery of money. On the side of the respondent/plaintiff, documents Ex.A1 to Ex.A8 have already been marked. The plaintiff was cross-examined by the defendant and the plaintiff's side evidence was closed. Thereafter, the defendant examined himself as DW1. At this stage, the present petition has been filed seeking permission to mark the following documents is certified court copy of Defendant's FSSAI licence dated: 20.09.2019, copy of Plaintiff's building plan rejection order, certified court copy of document executed by Plaintiff's mother in favour of Defendant dated 15.10.2010, certified court copy of GST details of J.V. Sweets and certified court copy of interim injunction order and decree in I.A.No.2/2022 in O.S. No.142/2022, District Munsif Court, Sivakasi dated 21.04.2023.

6) On a perusal of the pleadings and materials available on record, it is seen that there exists a monetary dispute between the parties. The documents referred to by the petitioner is a court document and a public document, except one which is a private document. Marking these documents on the side of the petitioner will not in any way prejudice the rights of the respondent. The suit is still pending, and the respondent has every right to cross-examine the concerned party with regard to these documents. In order to substantiate his defence, the petitioner/defendant seeks to mark Documents Nos. 1 to 5 as exhibits. Considering the facts and circumstances of the case and in the interest of justice, this Court is inclined

to permit the petitioner/defendant to mark the petition-mentioned documents as exhibits on the defendants' side.

7) In the result, this petition is allowed. The petitioner is permitted to mark the petition mentioned Documents Nos.1 to 5 as exhibits on the defendant's side. No costs.

Directly dictated to the Steno-typist, directly computerized by her, corrected and pronounced by me in open Court, this the 19th day of February 2026.

**Principal District and Sessions Judge,
Virudhunagar District at
Srivilliputtur.**

No witnesses and exhibits on both side- Nil

**Principal District and Sessions Judge,
Virudhunagar District at
Srivilliputtur.**

I.A.No.1/2025 in
O.S.No.191/2023
Fair/Draft – Order
PDJ/SVPR
Dated: 19/02/2026

