



C.M.P.(MD). No.15583 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
WEB COPY Civil Appellate Jurisdiction

Friday the Twenty Fifth Day of October Two Thousand and Twenty Four

The HONOURABLE MS. JUSTICE P.T.ASHA

CMP(MD). 3955/ 2024

in

S.A.(MD).No.193 of 2012

V.Muniasamy

...Petitioners/ Appellants

- Vs. -

Karuppayyee Devi

... Respondent/ Respondent

Prayer in CMP(MD). 3955/ 2024 : Petition filed under Section 151 of C.P.C, to admit the above said Documents as Additional Evidences for framing the issues towards the disposal of the Second Appeal.

Prayer in SA(MD)No.193 of 2012: Second Appeal filed under Section 100 of Code of Civil Procedure against the Judgment and decree dated 12.09.2011 made in A.S.No.6 of 2011 on the file of the Sub Court, Aruppukottai confirming the Judgment and decree dated 02.12.2010 in O.S.No. 394 of 2004 on the file of the District Munsif Court, Aruppukottai.

ORDER:- These Petitions are coming on for orders on this day and upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of Mr. V.Muniasamy, Party in Person, appeared for the Petitioner, and of Mr. Meenakshi Sundaram, for Mr.K.Seenuramachandran, Advocate for respondent, this Court made the following order:-



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This petition is filed to receive additional documents.

2. Heard the learned counsel on either side.

3. A reading of the affidavit filed in support of the petition would indicate that the petitioner is seeking to challenge the order of dismissal through this petition. The petition does not describe the documents that are sought to be received in as additional evidence. However, along with the affidavit of the petition, the petitioner has annexed a copy of the affidavit petition filed in I.A.No. Unnumbered of 2019 in O.S.No.394 of 2004 on the file of the District Munsif Court, Aruppukottai to appoint one M.Venkateswaran as the guardian to the respondent/plaintiff and the order rejecting the same. It is the suit O.S.No.394 of 2004 that is subject matter of S.A.(MD) No.193 of 2012.

4. The petitioner has not deemed it fit to challenge the dismissal order and wants to file the same as the additional document. The petitioner's request to treat the respondent as a mentally challenged person and to appoint a guardian for her has been rejected and how the same has been sought to be filed as an additional



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document has not been explained. In the above circumstances, the said petition is

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dismissed.

Sd/-

Assistant Registrar(CS III)

// True Copy //

/02/2025

Sub Assistant Registrar
(CS - I/ II / III /IV)

To

1. The Subordinate Judge, Aruppukottai.
2. The District Munsif, Aruppukottai.

Copy to:

The Section Officer, V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies

ORDER DATED 25.10.2024

ORDER

C.M.P.(MD). No.3955 of 2023
in

S.A.(MD). No. 193 of 2012

Giving direction etc as stated within.

MK/30.01.2025 3P/5C

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