



C.M.P.No.16210 of 2024
in S.A.No.949 of 2014

N.SENTHILKUMAR, J

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This Civil Miscellaneous Petition is filed under Order XLI Rule 27 of C.P.C. to permit the petitioners/appellants to file additional documents as detailed in the annexure to this petition, which are as follows:-

- “(i) Certified true copy of the order dated 03.08.1993 of the Government of Puducherry allotting the subject land parcels to the petitioner department;*
- (ii) Copy of the proceedings dated 05.10.1993 for transferring the suit property in favour of the petitioner department;*
- (iii) Copy of Chitta in favour of the petitioner department;*
- (iv) Certified copy of letter dated 25.06.1997 to the Puducherry Municipality for handing over the road portion through a gift deed.”*

2. The petitioners have filed an affidavit stating the necessity to mark these documents before the Court. Originally, the 1st respondent filed a suit



for bare injunction for having peaceful possession in Survey Nos.392/2 PT and 390/3 PT, Ward-F, Block No.7, Town Survey No.1 comprising 12,135 Sq.Ft of vacant land. The contention of the petitioners is that unless these documents are permitted to be marked, it will be great detrimental in proving their case. The first document dated 03.08.1993 refers to the proceedings of Government of Puducherry in which the Resurvey Number is referred as 391/8 PT in Puducherry revenue village to an extent of lands 0.24-51 hectares. The second document which the petitioners wants to rely upon is a proceedings dated 05.10.1993 of the Government of Puducherry in which the Resurvey Number is referred as 391/8pt. F-7-3pt. and 391/8pt.F-7-1/1. The other document which the petitioners want to file is chitta and the certified copy of the letter wherein the Survey Number is referred as 391/3pt. The fourth document which the petitioners want to mark before this Court is dated 25.06.1997, which is extracted hereunder:

*“Sub:- Handing over of Road portion in Uppalam,
Pondicherry – Reg.*

*Please refer your letter No.653/PTI/RO-I/Survey/97
dated 09.05.1997. As requested the road portion is*



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C.M.P.No.16210 of 20



handed over through a gift deed in green paper.

Photocopy of the documents for the vacant land acquired

by customs department is enclosed.”

3. On examining all these documents, it is seen that all these documents refer to Survey No.391/8 pt for the land measuring 0.24.51 Hectares. These documents which are sought to be marked before this Court are not a subject matter either before the Trial Court in O.S.No.1508 of 2006 or before the Principal District Munsif Court, Puducherry in A.S.No.3 of 2014. In view of the same, C.M.P.No.16210 of 2024 stands dismissed.

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27.08.2024
(1/2)



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C.M.P.No.16210 of 20



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