



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-07-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

**A No. 778 of 2026
in C.S.No.9 of 2025**

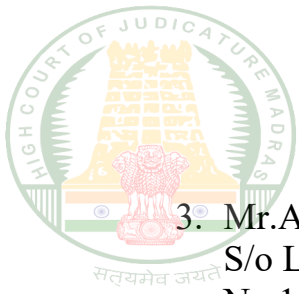
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1. Mrs.Razia Sultana, And Anohter
W/o G.M.Nustafa Shariff,
Represented By Her Power Agent,
Mr.G.M.Rizwan Ahmed,
S/o G.M.Mustafa Shariff,
Both Residing At
No.84/9, Aadinath Impressions,
Flat No.8, 2nd Flr,
6th Main Road, Rajesh Nagar,
Pallikaranai, Chennai 100.
2. Mrs.Munwar Sultana,
W/o Late A.K.Shahin Shah,
Represented By Per Power Agent,
Mr.Moinudeen Zayeed,
S/o Late A.K.Shahin Shah,
Both Residing At
New No.4, Kareem Mohideen Sahib Street, 8th
Lane,
Chinthadripet, Chennai 02.

..Applicant(s)

Vs

1. Mr.A.J.Khaja Mohideen, And 5 Others
S/o Late M.G.Ahmed Jan,
No 87, Swami Naicken Street,
Chinthadripet, Chennai 02.
2. Mr.A.Ghouse Mohideen
S/o Late M.G.Ahmed Jan,
Flat No.3b. No.14/909, Syndicate Bank
Colony,
6th Avenue, Anna Nagar West,
Chennai 600 101.



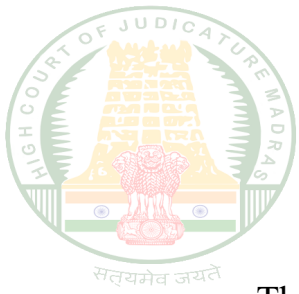
3. Mr.A.Sultan Mohideen,
S/o Late M.G.Ahmed Jan,
No.18, A.S.M. Apt S-1, 2nd Floor,
4th Street, Rangaraja Puram,
Saidapet, Chennai - 15.
4. Mrs. Balkis Sulaiman,
D/o Late M.Sulaiman,
No.144, Royapettah High Road,
Chennai - 600 014.
5. Mrs, M.Jabeen Fathima,
D/o Late M.Sulaiman,
Old No.233, New No.144, Ropapettah High
Road,
Royappettah,
Chennai 600 014.
6. Mr.M.Saqlain Tanveer,
S/o Late M.Sulaiman,
Old No.23, New No.144, Ropapettah High
Road,
Ropapettah,
Chennai 14.

..Respondent(s)

Prayer:- To pass an order granting leave to the Applicant herein to file the documents noted in the list below as additional evidence.

For Applicant(s): M/S.M. Mohideen Pitchai
 E.Prabu (1215/1995)
 S.Mohan (752/1996)
 M.Peer Mohamed (1815/2004)
 M.Raghul (6554/2022)
 B.Vignesh (4179/2023)

For Respondent(s): Mr.Abdul Ravoof
 for R1
 Mr.M.Jai Kumar for R2 & R3
 Mr.N.Sreenivasalu for R4 to R6



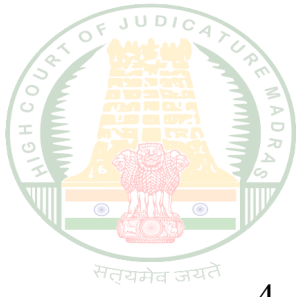
ORDER

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This application has been filed to pass an order granting leave to the Applicant herein to file the documents noted in the affidavit filed in support of the applicant as additional evidence.

2. It is stated in the affidavit filed in support of this application that the applicants / plaintiffs now seek to produce the xerox copies of the documents scheduled in the application stating that the said documents are vital for effective disposal of the suit and undertakes to produce the originals / certified copies of the above documents at the time of the trial.

3. This Court is not inclined to grant the relief sought. What is admittedly sought to be received are only xerox copies. In the absence of a proper case made out for reception of secondary evidence, xerox copies cannot be received as additional documents merely on request. The affidavit does not set out the necessary particulars for bringing the case within section 63 and 65 of the Evidence Act. A mere xerox copy of a document cannot be admitted as secondary evidence in the absence of foundational proof satisfying Sections 63 and 65 of the Evidence Act. **[H. Siddiqui v. A. Ramalingam, (2011) 4 SCC 240]**. Therefore, the prayer to receive the said xerox copies as additional documents cannot be entertained.



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DR. A.D. MARIA CLETE, J

4. Accordingly, the application stands dismissed. No costs.

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dpq/ay

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