



A. No. 2258 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-07-2026

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

A No. 2258 of 2026

in

TOS NO. 1 OF 2023

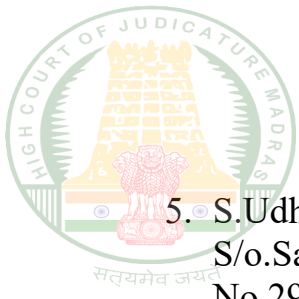
and OA NO. 851 OF 2024

C.Shiva, No.5, Jawaharlal Nehru Street,
Thiyagaraya Nagar, Chennai – 600 017.

..Applicant(s)

Vs

1. Amuthavalli,
W/o.Late Thirunavukkarasu,
No.238/2, Bharathi Salai,
Triplicane, Chennai – 600 005.
2. Rajashivasankari T,
D/o.Amuthavalli,
No.18, Oil Monger Street,
Behind D4 Police Station,
Royapettah, Chennai – 600 014.
3. K.G.Murali,
S/o.Mr.Ganesan,
No.951/47, Munusami Salai,
K.K.Nagar, Kalaignar Karunanidhi Nagar,
Chennai – 600 076.
4. Arka Fincap Limited
Branch Office at No.29,
Dr.Nair Road,
T.Nagar, Chennai - 600 017.



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5. S.Udhayasankar
S/o.Sanmughathiriviyam Nadar,
No.2930, Bangalore Main Road,
Kattupakkam, Chennai – 600 056.

..Respondent(s)

PRAYER- This application is filed under Order XIV Rule 7 of O.S. Rules read with Order VII Rule 14(3) of C.P.C. to permit the Applicant to file the following additional documents and the same may be recorded viz Pendrive contains videographs of lock and seal by the Tasildhar, Guindy, chennai with the help of Pondy Bazzar Police, Chennai and Photocopies of funeral/death ceremony of C.L.Saradha dated 18/07/2020 in T.O.S.No.1 of 2023 to mark as a plaintiff side evidence.

For Applicant(s): Mr.Jerome Pushparaj

For 1st & 2nd
Respondents: Mr.P.Thiagarajan

For R3: Mr.B.Kesavan

For R5: Mr.J.Kamaraj

O R D E R

Heard.

2.This application has been filed seeking leave of the Court to file the following additional documents, which may be recorded viz., Pendrive contains

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videographs of lock and seal by the Tahsildhar, Guindy, Chennai with the help of Pondy Bazzar Police, Chennai and Photocopies of funeral/death ceremony of C.L.Saradha dated 18/07/2020 in T.O.S.No.1 of 2023 to mark as a plaintiff side evidence.

3.It is submitted by the learned counsel for the applicant that the additional documents sought to be produced are relevant and necessary for determining the issues relating to the applicant's adoption, heirship and validity of the Will. Their earlier non-production was due to the inadvertence of the previous counsel and the reception of the documents would cause no prejudice to the respondents, whereas their exclusion would seriously prejudice the applicant and sought for allowing this Application.

4.The respondents 1 & 2, on the other hand, filed a counter contending that the applicant had sufficient opportunity to produce the documents earlier and that the present application, filed after commencement of evidence, is only an attempt to fill up the lacunae in the case. The documents are neither relevant nor necessary to establish adoption, heirship or the validity of the Will, and the alleged performance of funeral rites cannot constitute proof of adoption. The respondents



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further contend that the documents were deliberately withheld and are not public or vital documents, and their belated production would cause serious prejudice and further delay the proceedings. Hence, the application is liable to be dismissed.

5. However, considering the reasons stated in the affidavit filed in support of this application, this court is of the view that the rights of the applicant could not be foreclosed and the respondents are always at liberty to cross examine the said witness and make objections on the documents sought to be allowed. Hence, this application is liable to be allowed subject to proof, relevancy and admissibility.

6. Accordingly, this application is allowed subject to proof, liability and admissibility. No costs. The Registry is directed to keep in safe custody before and after the marking of the documents before the learned Master the documents namely, the pen drive—which contains videographs of the locking and sealing by the Tahsildar, Guindy, Chennai, assisted by the Pondy Bazaar Police, Chennai, as well as photocopies of the funeral/death ceremony of C.L. Saradha dated 18/07/2020 in T.O.S. No. 1 of 2023 filed along with this application.

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DR.A.D.MARIA CLETE J.

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($\frac{1}{2}$)**