



WEB COPY



A.No.3883 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-07-2026

CORAM

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

A No. 3883 of 2025

in

C.S. No. 181 of 2025

H. Rajkumar
S/o.Late.Mr.K.Harichand,
No.6, M.G.R.Salai,
Palvakkam,
Ch-41

..Applicant(s)

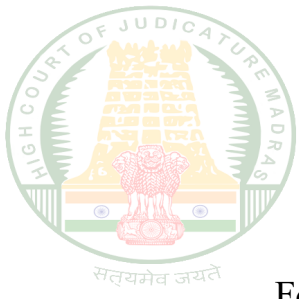
Vs

H. Sanjay
S/o.Late.Mr.K.Harichand,
Flat.No.18, 5th Floor,
GEE GEE Castle,
No.186, Avvai Shanmugam Salai,
Gopalapuram, Ch-86

..Respondent(s)

PRAYER: To direct the Respondent/Defendant herein to produce the following details (i) Personal accounts of Late Mr.K.Harichand, including Bank accounts and cash accounts, for the period from 2016 till date (ii) Business account of Late Mr.K.Harichand, including Bank accounts and cash accounts, for the period from 2016 till date (iii) All asset transactions of Late Mr.K.Harichand from 2016 till date (iv) List of all movable and immovable assets left behind by Late Mr.K.Harichand as on the day of his death.

For Applicant(s): M/S.A. Praveen Kumar
M.Meenatchi



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Mob-9884544231

For Respondent(s): Mr.Duraikkan S.Phillip

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ORDER

This application has been filed to direct the Respondent/Defendant herein to produce the following details namely the Personal accounts of Late Mr.K.Harichand, including Bank accounts and cash accounts, for the period from 2016 till date, the Business account of Late Mr.K.Harichand, including Bank accounts and cash accounts, for the period from 2016 till date, All asset transactions of Late Mr.K.Harichand from 2016 till date and List of all movable and immovable assets left behind by Late Mr.K.Harichand as on the day of his death.

2. Heard the learned counsel for the applicant who submits that the respondent was the one who lived with my father and he has conveniently kept me in the dark of various transactions of my father including revealing of account statements and details and hence, these documents are essential for effective adjudication of the suit and if this application is not allowed, he will be put to undue loss and hardship and sought for allowing this application.



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3. Learned counsel for the respondent on the other hand, filed a counter opposing the allowing of application stating that all the details of both movable and immovable assets left behind by their father was filed by way of an affidavit of assets in T.O.S. No. 25 of 2022 and the applicant has received copies of the said affidavit with copies of all documents relating to assets. It is further submitted that the applicant having failed to call for any other document in the said proceedings, cannot now maintain this application and this application is an abuse of due process of law and has been filed only to delay the disposal and sought for dismissing this application.

4. Considering the submissions of both sides and the facts and circumstances of the case, this court is of the view it is ultimately for the respective parties to substantiate their claims during the trial by adducing relevant evidence and if either party fails to produce documents within their exclusive custody, the appropriate legal recourse is for the Court to weigh such non-production at the final stage and an adverse inference, if any, can only be drawn at the time of final adjudication based on the trial's evidence.



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5. Accordingly, this application is dismissed. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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DR.A.D.MARIA CLETE, J.

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