

Application No.1704 of 2017
in
C.S.No.105 of 2011

C.V.KARTHIKEYAN J.

This application has been filed to set aside the order of the learned Master in allowing the application filed by a third party to the suit seeking copy application of suit documents. The said application is A.No.1291 of 2017.

2. It is relevant to point out that the said application is filed in C.S.No.105 of 2011, which is in the stage of examination of witnesses. Naturally, when a suit is at that stage and a third party seeks copies of documents, it is necessary that the Master should inform the parties to the suit that the copies are sought by a third party. However, the learned master has passed one line order stating that

“Heard the applicant counsel and this application is
allowed.”

3. It is clear that reasons have not been given and the

applicant herein, who is the plaintiff, had not been informed and he

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had to be put on notice about the said application. Hence, the said order of the learned Master dated 28.02.2017 is set aside and the matter remitted back to the learned Master and the learned Master to has to decide the matter afresh, after issuing notice and after hearing the applicant.

4. Accordingly, the order of the learned Master passed in A.No.1291 of 2017 dated is set aside and this application is allowed.

03.07.2017

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