

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 13TH DAY OF FEBRUARY 2017

THE HON'BLE MR. JUSTICE P.VELMURUGAN

A.No.674 of 2017
in
C.S.No.777 of 2005

1.Nagalakshmi
W/o.Late R.Thiruvengadam,
residing at No.11,
No.11, Bharathiyar Street,
Cholambedu,
Thirumullaivoyal, Chennai 600 062.

2.T.Mothi
S/o.Late R.Thiruvengadam,
residing at No.22,
Panchaliamman Koi Street,
Arumbakkam,
Chennai 600 106.

3.T.Baba
S/o.Late R.Thiruvengadam,
residing at No.11,
No.11, Bharathiyar Street,
Cholambedu,
Thirumullaivoyal, Chennai 600 062.

4.T.Parthasarathy
S/o.Late R.Thiruvengadam,
residing at No.11,
Bharathiyar Street,
Cholambedu,
Thirumullaivoyal, Chennai 600 062.

5.Bhagyalakshmi
residing at No.8, Mangali Amman Koil Street,
Aminjikarai Chennai 600 029. ..Applicants/Plaintiffs

Vs

1.Mrs.Kasthuri
residing at Old No.31,
New No.16, Adiyappa Street,
Purasawalkam,
Chennai 600 084.

2.Mrs.Padmavathi
residing at Old No.31,
New No.16, Adiyappa Street,
Purasawalkam,
Chennai 600 084.

3.Mrs.Kamatchi
residing at Old No.31,
New No.16, Adiyappa Street,
Purasawalkam,
Chennai 600 084.

4.Mrs.Jeyalakshmi
residing at No.34,
European Lane,
St.Thomas Mount,
Chennai 600 116.

5.Mrs.Parimalam
residing at Old No.31,
New No.6, Venkatachalam Street,
Triplicane, Chennai 600 005.

6.Mrs.Ranjani
residing at No.54,
Sakthi Nagar,
Teacher's Colony,
Kolathur,
Chennai 600 099.

7.Mr.Sundar
residing at No.34,
European Lane,
St.Thomas Mount,
Chennai 600 116.

..Respondents/Defendants

Application praying that this Hon'ble court may be pleased to Permit the plaintiffs/applicants to produce additional documents(4 in number) in C.S.No.777 of 2005.

LIST OF DOCUMENTS

S.N o	Date	Parties to document	Description
1	28.08.1985	Ramanujam and others in favour of R.Thiruvengadam and another	Certified copy of Deed of Release registered as document No.3599 of 2005 in the office of the Sub-Registrar, Sadiapet
2	10/02/86	Thiruvengadam and another in favour of Lalit Kumar	Certified copy of Deed of Sale registered as document No.56 of 1986 in the office of the Sub-Registrar, Sowcarpet
3	24.06.1981	V.K.Chakravarthy and others in favour of V.Ramanujam and others	Certified copy of the Deed of Release registered as document No.930 of 1990 in the office of the Sub-Registrar, Sadiapet
4	21.12.2016	Chakravarthy and others	Certificate of Encumbrance

This application coming on this day before this court for hearing the court made the following order:

The suit is of the year 2005. This Court on

30.11.2016, directed the Registry to list the suit before the Additional Master I, for recording evidence, with direction to complete the same within three months.

2. The learned counsel for the applicant would submit that this application is filed to permit the applicant to produce additional documents. The said documents were not produced earlier as they were not readily available with them and the respondent raised the contention only in the written statement.

3. The counsel for the defendants would submit that there is no relevancy in the documents and the documents are filed belatedly.

4. Heard both sides and perused the records.

5. This application was filed on 30.01.2017, for producing additional documents. The list of documents are dated 28.08.1985, 10.02.1986 and 24.06.1981, all the documents were existing prior to the order of this Court dated 30.11.2016, no reason has been given for non production of the documents either at the time of filing the suit or at the time of framing issues.

6. Though the documents were existing prior to settling the issues, if the application is allowed and permit the applicant to produce the documents at this stage, no prejudice would be caused to the respondent. However, certainly some inconvenience have been caused to the respondents. In the interest of justice and in order

to give opportunity for the applicants/plaintiffs to produce the documents the inconvenience caused to the respondents/defendants has to be taken into consideration.

7. This application is allowed on condition, by directing the applicants to pay the cost of Rs.15,000/- to the respondents on or before 28.02.2017 and the applicants counsel is directed to file memo to that effect before the Registry.

8. For compliance, call on 01.03.2017.

sd/.P.V.M.J

13.02.2017

//Certified to be a true copy//

Dated this the day of 2017

R.s/07.04.2017

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment/Decree in this format.

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