

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 6TH DAY OF JULY 2017

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

A.No.3243 of 2017
in
C.S.No.518 of 2007

C.S.No.518 of 2007

R.M.Meenal,
5203, Julestar, Dr,
Centreville, VA., 20120 - 3019, USA,
Rep. By her power of Attorney Agent,
S.Thirunavukkarasu,
No.21, Sreepuram Colony,
First Cross Street,
St.Thomas Mount,
Chennai-600 016.

.... Plaintiff

Vs

1.R.M.Sethu,
Sethu Illam,
B-93, Park View Road,
Anna Nagar,
Thennore,
Trichy,

2.R.M.Thennammai,
15/4, Rajabadhar Street,
T.Nagar,
Chennai-600 017.

3.M.Sornam,
No.10 (Old No.12),
West Avenue road,
Kodambakkam,
Chennai-600 024.

* 4.PL.Chidambaram (Deceased),
Son of PL.Palaniappa Chettiar,
Vinobaji Street,
Thiruvarur District,
Mannargudi-614 001.

** (4th defendant impleaded as per order dated 05/12/2008 in
A.No.4379 of 2008 and Condone the delay to carryout

Amendment as per order dated 19/11/2013 in A.No.3957 of 2013)

5.CT.Vallikannu,
W/o.PL.Chidambaram,
Vinobaji Street,
Thiruvarur District,
Mannargudi-614 001.

6.CT.Sethuraja,
S/o PL.Chidambaram,
Vinobaji Street,
Thiruvarur District,
Mannargudi-614 001.

7.CT.Suganthi,
D/o PL.Chidambaram,
Vinobaji Street,
Thiruvarur District,
Mannargudi-614 001.

8.D.S.Kulkarni Developers Limited,
'Gayathri' 3rd Floor,
No.3, Dr.Nedunchezian Road,
Kalakshetra Colony,
Besant Nagar,
Chennai-600 090.

9.Numart Develkopers Private Limited,
(Presently know as M/s.Mantri Dwellings Private Limited)
'Mantri House', No.41,
Vittal Mallia Road,
Bangalore-560 001.

... Defendants

A.No.3243 of 2017:

R.M.Sethu,
Sethu Illam, B-93,
Park View Road,
Anna Nagar, Thennore,
Trichy-620 017.

...Applicant/1st Defendant

-Vs-

1.R.M.Meenal,
5203, Julestar, Dr.Entreville,
V.A., 20120 - 3019, USA,

Rep. By her power of Attorney Agent,
S.Thirunavukkarasu,
No.21, Sreepuram Colony,
1st Cross Street, St.Thomas Mount,
Chennai-600 016.

...1st Respondent/Plaintiff

2.R.M.Thennammai,
15/4, Rajabadhar Street,
T.Nagar,
Chennai-600 017.

3.M.Sornam,
No.10 (Old No.12),
West Avenue road,
Kodambakkam,
Chennai-600 024.

4.PL.Chidambaram (Deceased),
Son of PL.Palaniappa Chettiar,
Vinobaji Street,
Thiruvarur District,
Mannargudi-614 001.

5.CT.Vallikannu,
W/o.PL.Chidambaram,
Vinobaji Street,
Thiruvarur District,
Mannargudi-614 001.

6.CT.Sethuraja,
S/o PL.Chidambaram,
Vinobaji Street,
Thiruvarur District,
Mannargudi-614 001.

7.CT.Suganthi,
w/o PL.Chidambaram,
Vinobaji Street,
Thiruvarur District,
Mannargudi-614 001.

8.D.S.Kulkarni Developers Limited,
'Gayathri' 3rd Floor,
No.3, Dr.Nedunchezian Road,
Kalakshetra Colony,
Besant Nagar,
Chennai-600 090.

9.Numart Develkopers Private Limited,
(Presently know as M/s.Mantri Dwellings Private Limited)
'Mantri House', No.41,
Vittal Mallya Road,
Bangalore-560 001.

...Respondents/Defendants 2 to 9

Application praying that this Hon'ble Court be pleased
to eschew Ex.p8, marked during cross examination of PW1 on

13.06.2017, from the records in C.S.No.518 of 2007

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

This application has been filed on 03.04.2017 to issue Ex.P.8 which was marked during the cross examination of PW1 on 13.06.2017. It has been stated that the plaintiff witness PW1 was in the witness box and during the cross examination on behalf of the fifth respondent, this Ex.P.8 was marked. The learned counsel stated therefore Ex.P.8 should be issued from the records. I am not agreed to hear the learned counsel for the respondent it was senior for the 5th Respondent. There is no provision to have issued which has been marked a exhibit. At the it is admissibility does not relevant during the the arguments. The learned counsel heard is not considered at the time of But, saying a marked document is not possible. Hence this application is dismissed. The witness for defendant appear before the Additional Master No.IV, on 19.07.2017. The evidence is to be recorded as far as the practical on a day today basis adjournments, the said three days adjournment given in between two hearing dates. The trial become dated by 17.08.2017.

2. Office is directed to post this matter before this Court on 21.07.2017.

Sd/-C.V.K.J
06.07.2017

//Certified to be a true copy//

Dated this the day of 2017.

EM/17.07.2017

COURT OFFICER

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