

**A.No.9049 of 2019
in
C.S.No.806 of 2018**

SENTHILKUMAR RAMAMOORTHY, J

This application is filed for permission to receive the additional documents as enumerated in the judge's summons and permit the same to be exhibited on behalf of the applicant/defendant.

2. I heard the learned counsel for the applicant and learned counsel for the respondent.

3. The learned counsel for the applicant submitted that the five documents, which are enumerated in the judge's summons were left out at the time of filing the written statement with counter claim and that the said documents are relevant to establish the defence. Therefore, the present application is filed to receive the additional documents as enumerated in the judge's summons and allow the same to be marked.

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SENTHILKUMAR RAMAMOORTHY,J

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4. In response, the learned counsel for the respondent submits that the documents may be permitted to be received subject to objections as to admissibility, relevance and proof of the documents.

5. The submissions of both the learned counsel were considered and the affidavit filed in support of the application was examined.

6. On that basis, I find that the applicant/plaintiff has made out a case for receiving the documents enumerated in the judge's summons subject to objections as to admissibility, relevance and proof.

7. Therefore, this application is allowed and the documents listed in the judges summons shall be received subject to objections, if any, as to admissibility relevance and proof.

Post the matter before the learned II Additional Master for recording evidence on 16.12.2019.

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06.12.2019

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