

A.No.8912 of 2019
in
C.S.No.716 of 2015

SENTHILKUMAR RAMAMOORTHY, J

This application is filed for permission to receive the documents listed in the judge's summons.

2. I heard the learned counsel for the applicant/plaintiff and the learned counsel for respondents 1 and 2.

3. The learned counsel for the applicant submits that the documents in respect of which permission is requested are relevant for the purpose of deciding the suit and that the said documents could not be filed earlier in spite of the best efforts of the applicant.

4. The learned counsel for the first respondent submits that the applicant has not duly explained or justified the non-filing of the said documents at the time of inception of the suit. The learned counsel for the second respondent submits that he is a *bona fide* third party purchaser of the subject matter property and that he has been unnecessarily drawn into the controversy between the husband and wife.

SENTHILKUMAR RAMAMOORTHY, J

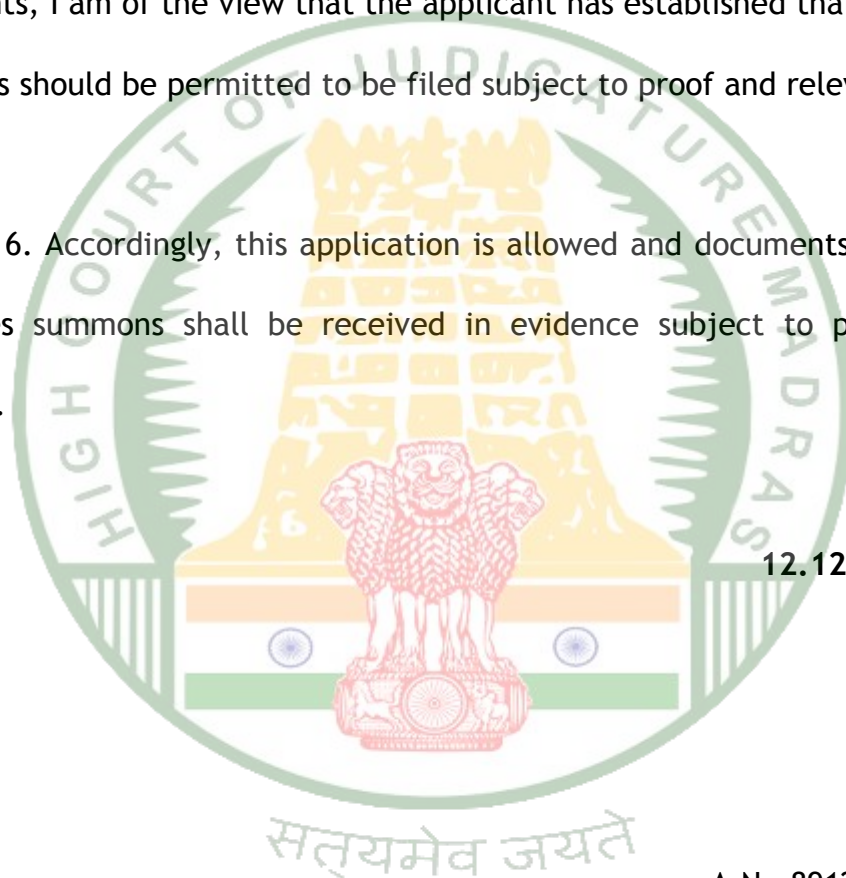
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5. Upon considering the submission of the learned counsel and on examining the affidavit in support of the application and counters of both the respondents, I am of the view that the applicant has established that the said documents should be permitted to be filed subject to proof and relevance.

6. Accordingly, this application is allowed and documents listed in the judges summons shall be received in evidence subject to proof and relevance.

12.12.2019

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