

A.No.1916 of 2020
in
C.S.No.126 of 2020

C.V.KARTHIKEYAN,J.,

This application has been filed by the plaintiff seeking leave to file additional documents.

2. In the affidavit filed in support of the said application, it had been stated that in the counter of the respondent/defendant in A.No.170 of 2020, allegations had been raised that the School premises does not have basic facilities of Light, Air and that the School is not in a good condition and also there is no Internet connection.

3. It is under these circumstances that the plaintiff has now come forward with the present application to file additional documents. These documents including licences and certificate from the Central Board of Secondary Education and structural Soundness Certificate and Sanitary Certificate and such other documents including Internet Bills and Photographs.

4. Heard the learned counsel for the respondent/defendant also.

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5. The learned counsel stated that they had not raised any issue regarding stability but rather that foul smell emanated and there was possibility of pollution being caused.

6. Relevancy of the present documents can be determined at the time when they are marked and questions to that effect can be put during cross-examination to the witness. It would also be appropriate that originals of these documents are produced at the time of recording the evidence and the originals be marked or be compared with the copies. If any computer extracts are filed, necessary Certificate under Section 65(b) of the Evidence Act is required.

7. Subject to admissibility, relevancy and proof, the documents are taken on record and with these observations, the application is allowed.

8. If any objections with respect to the marking of the documents are are raised during recording of evidence, the same may be noted down by the learned Additional Master and the said objections can be decided at the time of passing of judgment and arguments regarding objections may be advanced during the final hearing of the case.

09.09.2020

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