

A.No.644 of 2020
in C.S.No.642 of 2019

C.V.KARTHIKEYAN J.

This application has been filed by the second defendant in the suit calling upon the plaintiff to produce documents mentioned in the annexure to the Judges Summons namely an Agreement of Sale dated 24.05.2012, another Agreement of Sale dated 28.01.2014 and a Share Settlement Agreement dated 22.12.2014.

2. A counter had been filed questioning the relevancy of these documents.

3. Relevancy is an issue which can be addressed and decided only during the course of trial.

4. At any rate, if the plaintiff is in possession of these documents and they are not produced, the plaintiff would only be inviting a

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presumption that the documents are not produced only because they speak adverse to the interest of the plaintiff.

5. A direction is therefore issued that by the next hearing date 08.04.2021, copies of the said documents acknowledged as true copies should be served by the learned counsel for the plaintiff on the learned counsel for the applicant / second defendant.

6. This application is allowed. No costs.

17.03.2021
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