

**A.No.1888 of 2020**  
**in**  
**C.S.No.697 of 2014**

**C.V.KARTHIKEYAN J,**

This application has been filed seeking permission to produce and mark the photocopies of the documents in S.Nos.3, 6, 9, 10, 13 14 and 15 by way of secondary evidence.

2.In the affidavit filed in support of the application, it had been stated that the originals of the said documents were available at the time of filing the Civil Suit. The original documents were destroyed during the floods that occurred in December 2015.

3.Counter has been filed on behalf of the second respondent denying such reasons as being true and correct.

4.Heard the learned counsel for the petitioner and also the counsel for the respondents.

5.Prior to marking of the secondary evidence, the witness will have to testify as to the reasons why the originals are not produced, and

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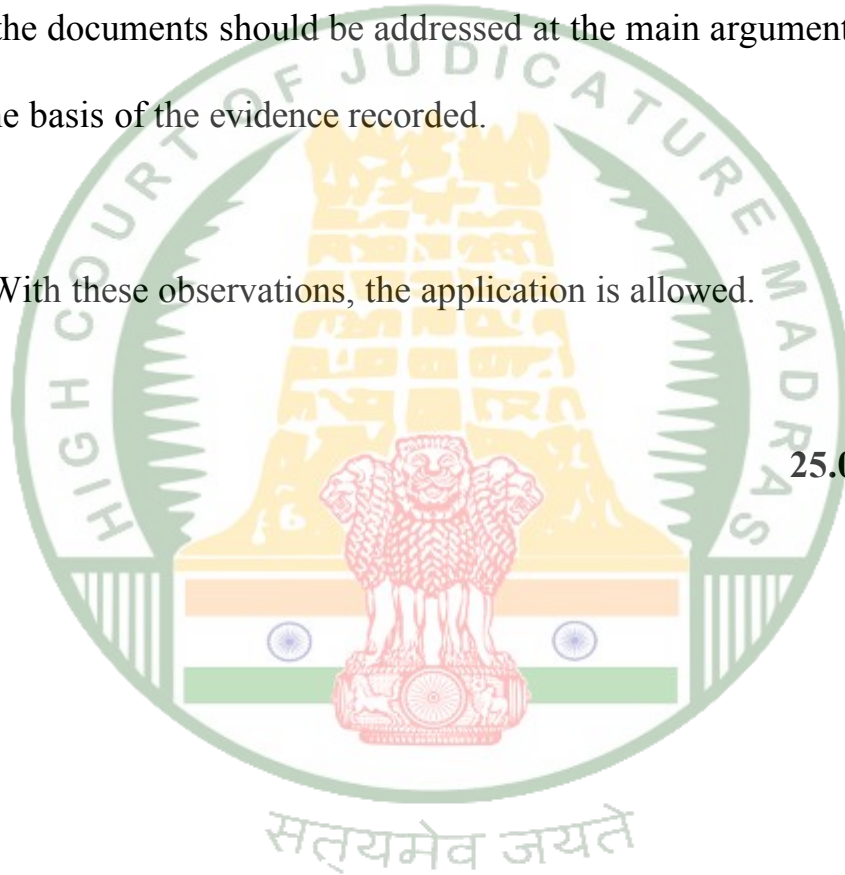
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such evidence should with stand cross examination. The relevancy and proof of the documents should be addressed at the main arguments of the suit on the basis of the evidence recorded.

6. With these observations, the application is allowed.

25.02.2021

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