



Application No.4571 of 2021
in C.S.No.334 of 1998

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N.ANAND VENKATESH. J.,

This application has been filed by the defendant seeking the leave of this Court to file additional documents.

2.Heard learned counsel for the applicant/defendant and learned counsel appearing on behalf of the respondent/plaintiff.

3.The documents that are sought to be filed by the applicant have come into existence subsequent to the filing of the suit. In fact, these documents were relied upon by the applicant when the applications were contested in this suit. In spite of the same, the applicant did not chose to file the documents at the earliest point of time.

4.The learned counsel for the respondent/plaintiff vehemently opposed the exorbitant delay on the side of the applicant to file this application for additional documents.

5.In the considered view of this Court, the documents in question are essential to establish the defence of the applicant. The suit is of the year 1998 and it resurrected from a deep slumber only in the year 2000 and was posted before the Commercial Division. Therefore, this Court does not want



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to impose the rigor of the Commercial Courts Act, 2015 for this transferred suit. However, the applicant is liable to pay the cost for the exorbitant delay caused in filing the application for bringing in the additional documents. This is more so, since the case is now at the stage of marking of documents on the side of the defendants.

6.In view of the above, this application stands allowed and there shall be a direction to the applicant to pay cost of Rs.30,000/- to the Tamil Nadu State Legal Services Authority on or before 20.12.2021.

09.12.2021

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(1/2)

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