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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 8TH DAY OF FEBRUARY 2022

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

A.Nos. 327, 328 & 329 of 2022

in

C.S. No.455 of 2013

C.S. No.455 of 2013:-

V.N.Vardharajan,
Managing Director,
V.N.V.Builders (P) Ltd.,
No.149, Kalaramani, Mudachur,
Gobichettipalayam,
Erode District,
Tamil Nadu-638 476

... Plaintiff

-Versus-

Government of Tamil Nadu,
Highways Department,
Represented by
The Superintending Engineer,
Highways, Construction & Maintenance,
Chennai Circle,
299, Anna Salai,
Chennai-600 096

...Defendant



A.Nos. 327, 328 & 329 of 2022:-

Government of Tamil Nadu,
Highways Department,
Represented by
The Superintending Engineer,
Highways, Construction & Maintenance,
Chennai Circle,
299, Anna Salai,
Chennai-600 006.

... Applicant
in all the Applications

Vs.

V.N.Vardharajan,
Managing Director,
V.N.V.Builders (P) Ltd.,
No.149, Kalaramani, Mudachur,
Gobichettipalayam,
Erode District,
Tamil Nadu-638 476

... Respondent
in all the Applications

A.No. 327 of 2022:-

Application praying that this Hon'ble Court be pleased to permit the applicant/defendant to file additional document and mark the same.

A.No. 328 of 2022:-

Application praying that this Hon'ble Court be pleased to reopen the defendant

side evidence in C.S.No.455 of 2013.



A.No. 329 of 2022:-

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Application praying that this Hon'ble Court be pleased to recall the defendant side evidence of DW1 in C.S.No.455 of 2013.

These Applications coming on this day before this court for hearing, the court made the following order:-

These applications are filed to reopen the evidence of the defendant, to recall DW1 and permit the applicant to exhibit an additional document.

2.By order dated 25.10.2021, this Court recorded that the copy of Ex.P2, which is an agreement between the plaintiff and defendant, did not tally with the original there of, which was produced by learned Government Pleader. In those circumstances, the court permitted the defendant to file the present applications.

3.Since the dispute arises out of the above mentioned agreement, it is just and necessary that the original and complete copy of the agreement be brought on record. For such purpose, it is just and necessary for all these applications to be allowed. Learned

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counsel for the plaintiff is present and has no objections for these applications being



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4. Accordingly, Application Nos.327, 328 & 329 of 2022 are allowed. Consequently, the defendant is permitted to reopen evidence, recall DW1 and produce the agreement between the parties. Towards this end, list the suit before learned Additional Master – III on 22.02.2022 for further evidence of the defendant.

Sd./-SKRJ.

08/02/2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

EVK 14/02/2022