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S.A.Nos.799 & 800 of 2005

S.A.Nos.799 & 800 of 2005
and
C.M.P.Nos.11214 & 11215 of 2005

KRISHNAN RAMASAMY, J.

Today, this matter has been listed under the caption “For Being Mentioned.”

2. The learned counsel for the respondent would submit that subsequent to the settlement memo arrived at among the parties, the respondent had approached the Court below for collecting the original documents filed by one Rajeswari before the VII Assistant City Civil Court, Chennai. Further, he would submit that the certified copies of the said original documents along with undertaking affidavit was also filed by the respondent before the trial Court. However, in spite of the said affidavit and substitution of documents, the respondent was unable to get the original documents.

3. In view of the above, this Court is of the considered view that there are no obstacles for the Court below to take the undertaking affidavit filed by the respondent on file and to substitute the certified copies of the original documents. Further, it is made clear that the returning of the original



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documents shall be done only after the settlement arrived between the parties and the same shall be recorded by the trial Court.

4. This Court also directs the said Rajeswari to produce the original documents before this Court without fail, if any dispute arose and demanded by this Court to produce before Court, in future.

5. Accordingly, this Second Appeal is hereby clarified.

27.06.2023

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Note : Issue the order copy on 28.06.2023.



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