



A.A.NAKKIRAN, J.

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This application has been filed by the applicants/defendants, to permit them to file a set of documents as set out in the list appended to the Judge's summons and receive it as additional evidence on the side of the defendants in the above suit.

2. Heard both sides.

3. The learned counsel for the applicants/defendants submitted that after filing the written statement, on 10.05.2018, the plaintiff along with his henchmen forcibly trespassed into the defendants' property and dispossessed them from a portion of the property on the northern side of Plot No.771 after removing all their belongings. Therefore, the defendants have lodged a complaint with the H6 RK Nagar Police Station. Thereafter, they have filed a suit in O.S.No.2909 of 2018 on the file of the XIII Assistant City Civil Court, Chennai, for recovery of possession. To substantiate the aforesaid facts, the applicants wanted to file a set of documents as set out in the list appended to the petition. Those documents were come to be existed after filing their written statement. Unless, those documents be received as additional evidence on the side of the defendants, grave prejudice would be caused to the applicants; on the other hand, no prejudice would be caused to the respondents, if this application is allowed. Hence, he prays to allow this application.

4. The learned counsel for the respondent/plaintiff submitted the all those documents mentioned in the affidavit are subsequent to the filing of the



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suit and they are irrelevant to the facts of the present case. The applicants have come forward with the present application only to drag on the proceedings. Hence, he vehemently opposed to allow this application.

5. Considering the facts and circumstances of the case, this Court is of the view that no prejudice would be caused to the respondent/plaintiff, in allowing this application. Hence, in the interest of justice, this Court is inclined to permit the applicants/defendants to mark the documents as listed in the affidavit, however, subject to admissibility, relevancy and proof. Accordingly, this application is allowed.

6. Post the matter before the Additional Master - I, for recording evidence on 25.08.2022.

27.07.2022

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A.No.1979 of 2022

in C.S No.231 of 2017