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O.A.Nos.563 & 564 of 2021

O.A.Nos.563 & 564 of 2021
and
A.Nos.3204 & 3205 of 2021
in
C.S.Nos.270 & 274 of 2021

C.V.KARTHIKEYAN, J.

All these applications are pending and the parties have been directed to let in evidence.

2. They may also be permitted to let in evidence with necessity to appointment of a receiver as sought in O.A.No.563 of 2021. Keeping the application further on the file of this Court would only become an exercise in futility and it is therefore, closed.

3. The learned counsel for the plaintiffs in C.S.No.270 of 2021, laid special emphasis on Application No.3205 of 2021 stating that a direction is sought to the Standard Chartered Bank seeking production of documents.

4. During the course of trial, if the plaintiff in C.S.No.270 of 2021 are still insistent on those documents, then, necessary procedure under Order 16 Rule 10 CPC may be followed to issue summons to the said witnesses to produce documents. This application is closed with the above observation.



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5. Application No.3204 of 2021 relates to producing accounts. On this aspect also, evidence may be let in, since, the issues can be examined only while deciding the final decree application. Granting that liberty, the application stands closed.

6.In O.A.No.564 of 2021, the plaintiffs in C.S.No.274 of 2021 seek protection of their possession. It is informed that they are in possession of the properties in the suit schedule. I will leave it to the wisdom of the plaintiffs and the defendants to maintain their respective status as on date and even otherwise, as co-shares/co-owners, possession of a small fraction of the property which is the subject matter of the suit would ennure as possession of all. Therefore, let the possession of the plaintiffs be continued, till the disposal of the suit.

List the matter back after concluding recording of evidence.

12.09.2022
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