



Application No.3541 of 2022 in
C.S.No.156 of 2020

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C.V.KARTHIKEYAN,J.

This Application has been filed seeking to produce further documents by the plaintiff. It is stated that the parties have been relegated to adduce evidence before the Additional Master IV. The trial has not yet commenced. At that stage, plaintiff has come up with the present Application.

2. A counter has been filed by the 3rd and 4th defendants in the suit. Among the documents, now sought to be produced, the first document is an approved building plan for the ground floor said to have been filed by the 3rd and 4th defendants. The third document is the notice issued by Greater Chennai Corporation and the fourth document is their reply and fifth document is a lock and seal notice issued again by Greater Chennai Corporation.

3. Insofar as these documents are concerned, the plaintiffs are at liberty to produce and mark the Document No.3 dated 28.12.2021, Document No.4 dated 12.01.2022 and Document No.5 dated 04.07.2022, since they are to the direct knowledge of the plaintiff and the plaintiff have either issued notice or received lock and seal notice. So far as first document is concerned, it is a plan submitted by 3rd and 4th defendants. It is informed that such document is already available in the Court records. Such document can be proved only

**C.V.KARTHIKEYAN.J.,**

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either by the 3rd and 4th defendants, if they graze the witness box and if there are any questions to be put on them, then such witnesses / 3rd or the 4th defendants or their representatives can be cross examined on the said document, since it is already available. If they do not mark the said document, plaintiff is at liberty to mark such document since it is already available in the Court records.

4. So far as the second document is concerned, dated 04.09.2020, which is a report by the Mediator, I am a little apprehensive in opening the windows to permit such document to be marked. It is already available in the Court records. The Court can always refer to it, when the document is referred.

5. With the said observations, application stands disposed of. Both the parties are directed to go back to the Additional Master IV for recording evidence. It is informed that trial is scheduled to commence on 09.09.2022.

05.09.2022

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