



WEB COPY

A.No.4331 of 2022



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in C.S.No.105 of 2021
and
O.A.Nos.247 & 248 of 2021

C.V.KARTHIKEYAN,J.,

The plaintiff has filed this present application seeking permission to produce seven additional documents which are exchanges of electronic mails either between the plaintiff's husband and the defendant or by the plaintiff's husband, according to the defendant, to a third party.

2. But the fact is that the e-mails were actually sent. Whether they are true copies of electronic mails are not, can be decided only during the course of evidence. Each one of the electronic mail is also accompanied with certificate under Section 65 B of the Indian Evidence Act, 1872 as required. It is for the witness to convince the Court regarding their relevancy and the documents will have to be proved in manner known to law.

3. Admissibility is an issue which has to be argued at the time of advancing arguments in the main suit.

4. It is made clear that merely giving exhibits to the documents would not automatically mean that they have been declared to be admissible or that they have declared to be proved in manner known to law or that they are relevant.



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5. All those issues will have to be examined during the course of arguments in the main suit, after evidence is tendering by the both parties.

6. Placing such Caveat and observing that the learned counsel for the respondent/defendant had also filed their counter, primarily, objecting to admissibility of the documents and correctness of the said e-mails, the application stands allowed.

7. Let the parties to go back to the Court of the learned Additional Master No.1. The plaintiff to commence tendering evidence. The plaintiff to appear before the learned Additional Master No.1, for recording of evidence on 21.11.2022 and thereafter, the trial process may commence and after evidence is completed, the matter may be listed before this Court.

31.10.2022

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