



WEB COPY



A.No.4399 of 2022 in
C.S.No.358 of 2016

A.No.4399 of 2022
in
C.S.No.358 of 2016

G. CHANDRASEKHARAN, J.

This application is filed for reception of certain additional documents to mark them as exhibits, through P.W.1.

2. It is submitted by the learned counsel for the applicant that D7 and D8 have been impleaded, only recently and therefore, these documents have not been filed at the time of filing the suit. Now, these documents are necessary for completing the case of the applicant.

3. Learned counsel for the respondents strongly opposed this application on the ground that no proper reasons stated for not producing the documents earlier and also for the delay in production of documents.

4. Considered the rival submission and perused the records.



A.No.4399 of 2022 in
C.S.No.358 of 2016

5. Of the seven documents sought to be produced, 5 documents are certified copies of registered documents and two documents are original documents.

6. Learned counsel for the respondents submitted he has no serious objection for producing documents No.1 to 4. However, so far, other documents are concerned, item No.5 of the document namely Encumbrance Certificate should have been filed earlier. Item Nos.6 and 7 of the documents had come into existence after the suit and they have no relevancy.

7. Encumbrance certificate is a public document and it can be now downloaded from the website. According to the applicant, these documents are necessary for the purpose of applicant's case. Item Nos.6 and 7 of the documents are original documents and it is claimed that they are full and final satisfaction receipt for Flat A and D given by the first defendant. In the nature of circumstances of the case, this Court is of the considered view that these documents have to be received in evidence. Other documents are also related to the issues involved in this case. Therefore, this Court is of the considered view that the additional documents can be received subject to proof and relevancy. Accordingly, this application is allowed.



A.No.4399 of 2022 in
C.S.No.358 of 2016

WEB COPY

8. Post the matter before the learned Additional Master for recording evidence.

29.09.2022

AT



WEB COPY



A.No.4399 of 2022 in
C.S.No.358 of 2016

G. CHANDRASEKHARAN, J.

AT

A.No.4399 of 2022 in
C.S.No.358 of 2016

29.09.2022