



A.No.4407 of 2022
in C.S.No.331 of 2007

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G.CHANDRASEKHARAN.,J

This application is filed for reception of copies of documents scheduled in the application. When the matter is taken up, the learned counsel for respondent submitted that there is no issue with regard to production of copies of Item No.1 to 3 and 7 of the document. Sofar as item No.4, 5 and 6 of the documents are concerned, he opposed receipt of the copies of the document on the ground that the applicant is not a party to these documents. Without following the procedure under Indian Evidence Act, copies of these documents cannot be received. This Court finds acceptance in the submissions of the learned counsel for respondent.

2. The learned counsel for the applicant is directed to take appropriate steps with regard to reception of secondary evidence by following the procedure contemplated under the Indian Evidence Act. However, with regard to reception of documents 1 to 3 and 7 of the documents, this application is allowed.

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3. It is seen from the order dated 07.09.2021 that the death of 7th defendant was informed and that there is no necessity to implead the legal heirs of the 7th defendant for the reason that the 7th defendant is a Trustee of the First defendant trust. Therefore, the plaintiff is directed to take appropriate steps for amending the plaint to incorporate the details regarding the death of the 7th defendant and for removing the 7th defendant from the cause-list.

4. Post the matter after three weeks.

08.11.2022

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