



WEB COPY



A.No.4524 of 2021

A.No.4524 of 2021
in C.S.(Comm.Suits) No.305 of 2020

SENTHILKUMAR RAMAMOORTHY,J

This application is filed to receive sample sales invoices as additional documents in the suit. The applicant asserts that one set of sample invoices was filed along with the plaint. On account of the fact that the applicant / plaintiff does not have the originals of those invoices, the present application is filed for permission to file another set of sample invoices in respect of which the originals are available.

2. The respondent has filed a counter and opposes the application on the ground that it is outside the scope of pleadings. The respondent also contends that these documents do not relate to the suit transactions.

3. While the pleadings are complete, the suit is admittedly at the pre-trial stage. The applicant has stated that these documents are relevant to the suit claim and that they are being filed in substitution for the sample invoices filed along with the plaint. On considering the



A.No.4524 of 2021

reasons set out by the applicant / plaintiff and by taking into account the circumstances, the applicant / plaintiff has established reasonable cause.

However, the respondent / defendant may raise objections *inter alia* on grounds of admissibility, relevance and proof.

4. Accordingly, A.No.4524 of 2021 is allowed by permitting the applicant / plaintiff to produce the additional documents set out in the annexure to the Judge's summons subject to the objections of the respondent / defendant *inter alia* on grounds of admissibility, relevance and proof. The respondent / defendant is permitted to file a statement of admission / denial of these documents on or before 18.04.2022. Both parties are also permitted to file the statement of admission / denial in respect of documents filed by the counter party concerned at the first instance. The parties are also directed to file draft issues.

5. List the matter on 18.04.2022.

11.04.2022

rna



WEB COPY



A.No.4524 of 2021

SENTHILKUMAR RAMAMOORTHY,J

rna

A.No.4524 of 2021
in C.S.(Comm.Suits) No.305 of 2020

11.04.2022