



A.No.4654 of 2022  
in C.S (Comm Div) No.474 of 2019

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**M.SUNDAR.J.,**

This order will now dispose of the captioned application.

2. In this order, parties shall be referred to by their respective ranks in the main suit for the sake of convenience and clarity.

3. The first defendant has taken out the captioned application with a prayer seeking leave of this Commercial Division to produce five documents (to be noted, no documents were filed along with the written statement).

4. Mr.Anantha Natarajan, learned counsel for first defendant is before this Commercial Division. Ms.P.Archana, learned counsel representing Mr.R.Balachandran for sole plaintiff and Mr.Nandhakumar, learned counsel representing Mr.S.Santhosh, counsel on record for second defendant are before this Commercial Division. Both learned counsel submit that five documents for which leave has been sought will have to be subject to proof and relevance.

5. Adverting to the support affidavit, learned counsel for first defendant submits that reason for not being able to file these documents



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along with the written statement is that documents were discovered subsequently. As there is no difficulty in putting in the caveat which the second defendant and plaintiff is insisting, it may not be necessary to dilate much on this aspect of the matter in this application.

Captioned application ordered as prayed for subject to the caveat that leave to receive five documents is subject to proof and relevance. There shall be no order as to costs.

26.10.2022  
(1/2)

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