



A.No.2010 of 2023
O.P.No.390 of 2021

K.KUMARESH BABU, J.

WEB COPY

The above captioned application has been filed seeking to issue summons to the respondent to produce the Original Settlement Deed dated 09.06.2004, registered as Document No.2237 of 2004 on the file of the Sub-Registrar, Kodambakkam, executed by one G.Sampath in favour of his wife S.Girija in respect of whose property the Letters of Administration had been sought for in this Original Petition.

2.The application had been adjourned at the request of the learned counsel appearing on behalf of the respondent for filing counter. It could be seen that from the record of proceedings, in spite of his request being acceded to by this Court for filing counter, there has been no appearance on the side of the respondent. On 15.04.2023 and 21.06.2023, his absence is recorded and the matter was adjourned to be listed today under the caption “for orders”.

3.Today, when the matter was taken up again, there was no representation on behalf of the respondent. From the averments made in the application, it is seen that the petitioner had issued a notice invoking the



A.No.2010 of 20

provisions of Section 66 of the Indian Evidence Act, 1872, calling upon the respondent to produce the said document. Such notice had been issued by the petitioner on 22.09.2022 and the said notice has also not evoked any response. Therefore, they had approached this Court by filing the present application.

4.In spite of the notice given to the respondent dated 22.09.2022, he had not produced the said document. In the present application, he had failed to submit the document and has not been represented in the Court. In such circumstances, the above captioned application is allowed.

5.Registry is directed to issue summons calling upon the respondent to produce the original document registered as Document No.2237 of 2004, dated 09.06.2004 on the file of the Sub-Registrar, Kodambakkam on or before 31.07.2023.

27.06.2023

gba



WEB COPY

A.No.2010 of 20



K.KUMARESH BABU, J.

gba

A.No.2010 of 2023
O.P.No.390 of 2021



WEB COPY



A.No.2010 of 20

27.06.2023