

**A.No.2152 of 2023****in C.S (COMM DIV) No.45 of 2021**

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S.SOUNTHAR, J.

The instant application has been filed by the applicant/plaintiff seeking leave of this Court to produce four documents mentioned in the schedule to the judges summons.

2. Heard the arguments of the learned counsel for the applicant and there is no representation for the respondents.

3. According to the applicant, the suit has been filed by the applicant seeking a decree for recovery of Rs.1,00,00,000/- together with interest from the defendant which was paid by the applicant to the respondent/defendant under memorandum of understanding dated 21.02.2018. Along with the present application, the applicant produced the printouts of the email communication between the plaintiff and defendants, statements of accounts of the plaintiff containing details of the alleged money transactions made by the plaintiff in favour of the defendant.



4. The applicant also filed necessary certificate under Section 65(B) of the Evidence Act. The main suit is filed for recovery of money allegedly paid by the applicant to the defendants. It is stated by the applicant that the document now proposed to be produced are very much relevant to prove the payment of suit amount by the applicant to the defendants.

5. In view of the above averments made by the applicant in the affidavit filed in support of this application, this Court is inclined to allow this application.

6. The applicants are permitted to produce the documents mentioned in the schedule to the judges summons subject to proof, relevancy and objection.

7. The learned counsel for the applicant submits that the applicant/plaintiff is ready to examine his witness on 25.04.2023 and 26.04.2023.



8. List the case before the Additional Master-III on
25.04.2023.

9. The evidence shall be recorded as per the order of this Court dated
30.01.2023.

10. List the case before this Court after completion of trial for filing
written arguments on 05.06.2023.

18.04.2023

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