



A.No.2330 of 2023
in C.S.No.31 of 2021

R.N.MANJULA, J.

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This application has been filed by the plaintiff to permit him to mark the certified copies of the two sale deeds executed by S.K.Vadivelu in favour of V.Santhakumari, registered as Document No.994 of 1986 and Original Sale Deed dated 19.09.1985, executed by Tamil Nadu Housing Board in favour of S.K.Vadivelu and registered as Document No.3888 of 1985 at office of Sub-Registrar, Anna Nagar, Chennai, as secondary evidence and as Plaintiff Exhibits.

2. Though the learned counsel for the respondent sought time for filing counter, no counter has been filed so far. It is submitted by the learned counsel for the applicant / plaintiff that the original sale deeds are now in the custody of the first defendant and he had already given notice to the defendants to produce the originals. But the defendants did not produce the originals.

3. When the plaintiff is not having the custody of the original sale deeds, he has got no other option except to produce the certified copies as secondary evidence. Since the applicant / plaintiff has taken appropriate steps to secure the originals and it is not possible for him, in the interest of justice he has to be permitted to produce the certified copies as secondary evidence and as prayed by him.

4. In view of the above, this application is allowed.

12.06.2023

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