



A.No.3512 of 2023 in
C.S.No.682 of 2018

R.N.MANJULA,J.

This Application has been filed by the applicant / plaintiff to receive the following documents as additional evidence:

(i) Order in CrI.O.P.No.29269 of 2019 dated 21.01.2022 - photocopy.

(ii) Order in W.P.No.11983 of 2021, dated 19.01.2021 - photocopy.

(iii) Order in W.A.No.517 of 2021, dated 16.08.2022 - photocopy.

(iv) Order in Na.Ka.No.19060/E2/2022, dated 23.03.2023 - photocopy.

(v) Endorsement of Registration Department in document No.103/2016, 24/2015 (Book-III) - photocopy.

(vi) Encumbrance Certificate - photocopy.

2. However, the learned counsel for the respondents raised serious objection by stating that these documents are in no way helpful to the case of the plaintiff and they have no binding effect upon the defendants as well; the first document is an order passed in CrI.O.P.No.29269 of 2019 dated 21.01.2022; the order passed in criminal proceedings has got



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no relevance in the civil suit and hence, there is no necessity to allow the said document to be produced; in respect of the documents No.2 and 3, it is submitted that in the Writ Petitions, the respondents / defendants are not the parties to the proceedings; the document No.4 is a copy of the proceedings of the District Registrar, South Chennai dated 23.03.2023, cancelling the Settlement Deed in Document No.103 of 2016 dated 09.10.2015; document Nos.5 and 6 are the consequential endorsement reflected in the Encumbrance Certificate, in view of the order passed by the District Registrar on 23.03.2023.

3. The learned counsel for the respondents further submitted that the main issue involved in this suit itself is the validity of the Settlement Deed dated 09.10.2015 in Document No.103 of 2016; when that being the case, the District Registrar has passed an order sub judice and hence, the respondents have challenged the same by way of filing a Writ Petition in W.P.No.15543 of 2023 and W.M.P.No.15059 of 2023 dated 18.05.2023.

4. All these serious objections now raised by the respondents are all relevant at the time when the documents are marked. After the



documents are marked, the relevancy of the same can be appreciated while considering the evidence on record. The respondents / defendants are at liberty to raise all these objections during the relevant point of time after allowing the applicant to produce these documents.

5. Accordingly, this Application is allowed subject to proof and relevancy.

31.07.2023

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NOTE : Issue order copy on 01.08.2023.



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