



A.No.4427 of 2023
in
T.O.S No.4 of 2009

WEJ A.A. NAKKIRAN, J.

This application is filed to allow the application to receive the additional documents by the defendant in T.O.S. No.4 of 2009.

2.The learned counsel for the applicant submits that few documents which were not filed during the filing of the written statement in the year 2019, has to be marked in additional now since it is necessary to this case which are all originals. Hence, this application has been filed.

3.The learned counsel for the respondent submits that while filing the written statement in the year 2019, the applicant did not whisper anything about these additional documents. The documents No.1, 2 & 6 which are now proposed to be marked as additional document, were already disclosed by the applicant in the written statement in the year 2019 itself. Further, 9th document which is the photograph of the defendant along with G. Saraswathi and V. Vasantha cannot be marked as additional document. Thus, he opposed in allowing the application.

4.Having considered the facts and circumstances of the case, this Court is inclined to allow the said application subject to proof and relevancy of documents.

5. Post the matter before the Additional Master -IV on 13.09.2023 for recording of evidence.

04.09.2023

Lbm



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A. No.442



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Lbm

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