



A.No.2123 of 2023 in
C.S.No.97 of 2013

A.Nos.2122 and 2123 of 2023
in C.S.No.97 of 2013

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R.N.MANJULA,J.

The applicant / plaintiff filed the suit in C.S.No.2122 of 2023 for specific performance wherein he has filed certain documents. However, he has filed the present application in A.No.2122 of 2021 to file two more documents as additional documents on his side as described as under:

S. No.	Date	Description of Document	Nature
1	20.07.2018	Encumbrance Certificate No.3589 of 2018 issued by SRO Thayaraya nagar, Chennai	Certified copy
2	30.08.2022	Online Encumbrance Certificate No.74843393/2022 issued by SRO Thayaraya Nagar, Chennai	Online Certified copy

2. Despite the respondent sought time for filing counter, no counter has been filed so far. However no prejudice would be caused to the respondent / defendant as the document will be received subject to proof and relevancy.

3. The other application in A.No.2123 of 2023 has been filed seeking permission to pay deficit Stamp duty on the documents listed under Judges summons:



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(i) *Doc No.3-ie., endorsement Dt.28.01.2010 made by the respondents 1 and 2 on the reverse of the first page of the agreement of Sale Ex-P1 Acknowledging the receipt of sum of Rs.25,00,000;*

(ii) *Doc. No. 4ie., endorsement dated 29.01.2010 made by the respondents 1 and 2 on the reverse of the first page of the agreement of Sale Ex- P1 acknowledging the receipts of sum of Rs.30,00,000/-.*

(iii) *Doc No.8 in the Proof Affidavit – Receipt Dt:06.09.2008 for Rs.3,00,000/- signed by first defendant as Director of M/s.Samyuktha Foundations Pvt. Ltd., issued towards sale advance in respect of 35 cents of land situate at Kodaikanal comprised in S.No.786/1, issued in the letter head of M/s. Samyuktha Foundations Pvt. Ltd., to the Plaintiff.*

(iv) *Doc No.9 in the Proof Affidavit – Receipt Dt:08.04.2009 for Rs.8,50,000/- signed by first defendant as Director of M/s. Samyuktha Foundations Pvt. Ltd., issued towards sale advance in respect of 56 cents of Land in situate at Kodaikanal comprised in S.No.786/2 issued in the Letter Head of M/s.Samyuktha Foundations Pvt. Ltd., to the Plaintiff.*

(v) *Doc. No.10 in the Proof Affidavit – Receipt Dt:02.07.2009 for Rs.2,00,000/- signed by first defendant as Director of M/s. Samyuktha Foundations Pvt. Ltd., issued towards sale advance in respect of 18 cents in S.No.786/2 and*



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13 Cents of lands in S.No.783 situate at Kodaikanal issued in the Letter Head of M/s.Samyuktha Foundations Pvt. Ltd., to the Plaintiff.

(vi) Doc. No.11 in the Proof Affidavit – Receipt Dt:10.08.2009 for Rs.5,00,000/- signed by first defendant as Director of M/s.Samyuktha Foundations Pvt. Ltd., issued towards sale advance in respect of 60 cents of land in S.No.786/3 and another 60 cents in S.No.786/2 situate at Kodaikanal issued in the Letter Head of M/s. Samyuktha Foundations Pvt. Ltd., to the Plaintiff.

(vii) Doc.No.19 in the Proof Affidavit - Cancelled Receipt Dt:15.10.2010 for Rs.25,00,000/- signed by first defendant as Director of M/s.Samyuktha Foundations Pvt. Ltd., issued towards sale advance in respect of 114 cents of land with constructed bungalow in S.No.796, Kodaikanal issued in the Letter Head of M/s.Samyuktha Foundations Pvt. Ltd., to the plaintiff along with the endorsement of cancellation made by the plaintiff.”

4. These documents are seems to be mostly receipts and hence the essential requirement for receiving the same as evidence is complied.



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5. In view of the same, I feel the applications should be allowed and accordingly both the applications are allowed, the additional documents shall be received subject to proof and relevancy. The stamp duty to be paid within a week and the Registry is directed to calculate and collect the stamp duty within the said time and list the matter on 20.06.2023 “for reporting compliance”.

08.06.2023

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