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A.No.2287 of 2010
in C.S.No.301 of 2000

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-12-2024

CORAM

THE HONOURABLE DR JUSTICE G. JAYACHANDRAN

Application No.2287 of 2010
in C.S.No.301 of 2000

M/s.Sha Rikbadas Madaji & Co.,
Rep. by its Partner, Mr.Kantilal P.Bhansali,
Old No.97, New No.41, Perumal Mudali Street,
Sowcarpet,
Chennai – 600 001

... Applicant/Plaintiff

-vs-

Sri Gopaldas Dwarkadas Family Trust Estate,
Rep. By its Managing Trustee, Mr.G.Balakrishnadas,
No.329, Mint Street, Sowcarpet,
Chennai – 600 003.

... Respondent/Defendant

For Plaintiff :

Mr.M.Nandha Kumar.

For Respondent :

Ms.Vasudha Thiagarajan.

ORDER

This Application is filed by the plaintiff to receive additional documents.

(i). Resolution by the respondent trust dated 'Nil'

(ii) Minutes of the meeting by the respondent trust dated



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(iii) Agreement of sale dated 10.02.2005.

2. Though these documents are subsequent to the suit, the purpose for which same to be relied upon is not adequately and satisfactorily explained.

3. This Court is of the view that, taking into consideration of the long pendency of the suit, the chequered history of the litigation before and after filing the suit, two of the documents have certain bearings on deciding the issues involved. i.e., (i) The minutes of the meeting by the respondent trust, dated 19.12.2004 and (ii) Agreement of sale dated 10.02.2005.

4. The Learned Counsel for the applicant/plaintiff submits that based on the undated resolution, the third document, agreement of sale dated 10.02.2005 was entered. However, this Court does not find any link between the undated resolution and the agreement of sale dated 10.02.2005, except the commonness in the property mentioned. Being an undated document, this Court is not inclined to admit the 1st document. As far as two other documents are concerned, same shall be admitted in evidence, subject to proof and relevance.



5. Accordingly, this Application No.2287 of 2010 is partly-
allowed.

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Dr.G.Jayachandran,J.

bsm

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