



A.A.NAKKIRAN, J.

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This application is filed by the applicant/defendant to issue subpoena to the Registrar, Anna University, Chennai-600 025 and direct him to produce documents mentioned in the schedule of documents and to tender evidence related to the said documents in schedule.

2. Heard both side.

3. The learned counsel for the applicant/defendant submitted that the documents mentioned in the schedule are very much relevant to prove the contention of the applicant/defendant and hence, she prays to allow this application.

4. The learned counsel for the respondent/plaintiff has strongly opposed to allow this application stating that the documents sought to be marked in this application are not at all required and those documents are not relevant to decide the merits of the case. She further submitted that the applicant is only attempting to enrich his knowledge about the testatrix that can have no binding on this case.

5. Considering the rival submissions, this Court is of the view that the respondent/plaintiff have every right to cross examine the witness at the time of marking the documents and hence, this Court is inclined to permit the applicant/ defendant to mark the documents as listed in the Judge's summons, however, subject to admissibility, relevancy and proof.

6. Accordingly, this application is allowed.



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7. Registry is directed to issue subpoena to the Registrar, Anna University, Chennai-600 025 to appear before the Master Court.

8. Registry is directed to list the matter before the Additional Master-IV, for recording evidence on 06.11.2024.

30.10.2024

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A No.573 of 2024
in T.O.S No.15 of 2021