



A.No.938 of 2024
in
C.S.No.(Comm Div).No.534 of 2016

P.VELMURUGAN, J.,

This application has been filed by the applicants/plaintiffs to permit them to file additional documents, a list whereof is annexed hereto and marked as Annexure A.

2. In the plaint filed by the plaintiff, all the documents are referred as certified copies. The plaintiffs have not annexed the certified copies of the documents, whereas they have filed photocopies of the documents. When the matter is placed before the learned Master for recording evidence, the plaintiffs could not produce the certified copy of the documents which were relied on in the plaint. Hence, the applicants/plaintiffs have filed the present application seeking permission to file additional documents.

3. The learned counsel for the applicants/plaintiffs is not pressing the document Nos.3 to 7.

4. From the records, this court finds that in the plaint, the plaintiffs have referred certified copies of the documents, whereas they have annexed the photocopies of the certified copies of the documents only. It is a settled proposition of law, for primary evidence/public document, the parties have to file either the original documents or the certified copy of the primary document.



There is no procedure for annexing the photocopy of the secondary evidence.

Hence, filing of the suit without original/certified copy cannot be entertained.

However, in order to give an opportunity to the applicants/plaintiffs, the application is allowed in respect of documents No.1 and 2 alone, with costs of Rs.1,00,000/- [Rupees One Lakh only] to be paid by the applicants/plaintiffs to the respondents/defendants on or before 20.06.2024.

5. List the matter on 21.06.2024.

07.06.2024

mfa



WEB COPY



P.VELMURUGAN, J.,

mfa

A.No.938 of 2024
in
C.S.No.(Comm Div).No.534 of 2016

07.06.2024