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in C.S. No. 882 of 2015

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C.V.KARTHIKEYAN,J

This application has been taken out by the plaintiff seeking permission to mark the Document No.2 namely, the Power of Attorney dated 03.01.2006 as secondary evidence which had been executed by the plaintiff in favour of her mother.

2.It is contended that the original had been handed over to the mother of the plaintiff, but she subsequently died.

3.Though there are varying submissions made about the retention of the original of the copy, it is asserted by the plaintiff in this application that she only has possession of the xerox copy. The issue relating to relevancy can be put to the witness during cross examination, particularly, since it is the contention of the learned counsel for the third defendant that on the basis of this particular Power of Attorney, no further documents had been executed.

4.It is also to be noted that there is no issue raised about the genuinity of this particular document.

5.Taking that factor into consideration, the document may be taken on



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record subject to relevancy.

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6. Accordingly, this Application stands allowed.

16.04.2024

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