



**A.No.2546 of 2024**  
**in**  
**C.S. No.731 of 2015**

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**P.B.BALAJI, J.,**

This Application has been taken out to permit the Applicant/1<sup>st</sup> Defendant file the following Additional Documents:-

(i) Divorce order dated 14.07.2004 made in HMOP No.106 of 2004 issued by the Additional Family Court, Chennai.

(ii) Copy of the Petition filed by K.Narmada and K.Shivani in MCOP. No.6790 of 2017.

(iii) Copy of impleading petition and affidavit of K.Rajkumari filed in M.P. No.3 of 2021 in MCOP No.6790 of 2017.

(iv) Copy of the affidavit filed by the General Manager, State Express Transport Corporation in M.P. No.3 of 2021 in MCOP No.6790 of 2017.

(v) Copy of the Order made in M.P. No.3 of 2021 in MCOP No.6790 of 2017.

2. The learned counsel for the respondents has serious objections for marking the above documents on the ground that the suit has been pending right from the year 2015 and there is absolutely no whisper about these documents either in the written statement or in the proof affidavit.



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3. I have heard Mr.A.Arulmozhi, learned counsel for the Applicant and Mrs.Thenmozhi Shivaperumal, learned counsel for the respondents.

4. The suit is for partition and separate possession where the plaintiff is claiming to be the legal heir of late M.S.Krishnakumar. The documents are sought to be received on the ground that they would be relevant in the present suit for partition insofar as the status of the plaintiff. Except the document mentioned in Column No.(iv), I see no serious prejudice being caused to the respondents, if the other four documents are allowed to be received, subject to admissibility, proof and relevancy.

5. Accordingly, this Application is allowed and the following documents are permitted to be received as additional documents, subject to admissibility, proof and relevancy:-

(i) Divorce order dated 14.07.2004 made in HMOP No.106 of 2004 issued by the Additional Family Court, Chennai.

(ii) Copy of the Petition filed by K.Narmada and K.Shivani in MCOP. No.6790 of 2017.

(iii) Copy of impleading petition and affidavit of K.Rajkumari filed in M.P. No.3 of 2021 in MCOP No.6790 of 2017.

(iv) Copy of the Order made in M.P. No.3 of 2021 in MCOP No.6790 of 2017.



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6. Considering the Application is filed belatedly, the 1<sup>st</sup> respondent/plaintiff is entitled to be compensated by way of costs. The Applicant/1<sup>st</sup> defendant shall pay a sum of Rs.5,000/- to the learned counsel for the 1<sup>st</sup> respondent/plaintiff within two weeks from today, as a pre-condition for the Application being allowed, as indicated above.

7. Post the matter on 26.06.2024, for compliance.

**18.06.2024**

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**P.B.BALAJI, J.**

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