



A.No.2806 of 2024
in C.S.No.724 of 2018

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C.V.KARTHIKEYAN, J.

This application has been filed by the plaintiff seeking permission to file additional documents, which had been described in the schedule to the judges summons.

2.A perusal of the list of documents now sought to be produced show that they are extract of certificate from Town Survey Land Register, a letter from the plaintiff temple to the Joint Commissioner, HR & CE., to the Chennai Corporation, to the defendants, to the Inspector of Police and a letter from the Commissioner, HR & CE to various other temples including the plaintiff temple.

3.A counter has filed on behalf of the 1st, 2nd and 3rd respondents wherein, it had been contended that Document Nos.9 to 14 are post institution of the suit and therefore, could not be taken into consideration. It is also stated that Document No.11 does not contain the signature of the local residents. It is also stated that Document Nos.4, 5 and 6 were not addressed to the defendants.

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4.It is however, seen from the records that the suit had been filed by the plaintiff seeking a declaration that the plaintiff is the owner of the suit property and for a direction against the defendants to surrender the suit schedule property and for a permanent injunction restraining the defendants from putting up any construction.

5.Touching all these issues, if the documents produced have any relevance, then they could be taken into consideration, but the documents should also be admissible and should be proved in manner known to law. Let the documents for which the defendants have objections also be marked, provided, they are primary documents. The objections may be recorded by the learned Additional Master – III and the onus is on the learned counsel for the 1st, 2nd and 3rd defendants to address that issue during the course of argument.

6.Observing as above, this Application stands allowed.

02.07.2024

smv

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