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A.Nos. 2733 to 2735 of 2024

And

TOS.No. 26 of 2014

C.V.KARTHIKEYAN, J.

All the three applications have been filed by the plaintiffs seeking to recall PW-1, to reopen the evidence of the plaintiffs with specific permission to file one additional document namely, the membership card of the testator Mr.A.V.M.Murugan with the Cine Artist Welfare Board.

2. The learned counsel for the defendants stated that the document could be produced but marked subject to proof and relevancy and admissibility. It is however stated that earlier, the plaintiffs had filed an application seeking to reopen the evidence of the defendants and to mark certain documents through the defendants. Those applications were examined by my learned Predecessor, who had dismissed the application seeking to reopen the evidence of the defendants on 23.06.2023 and had however permitted the documents to be marked through the evidence of the plaintiff. Those documents are judicial proceedings. The learned counsel for the defendants questioned the competency by the plaintiff to have direct knowledge about those documents. That s an issue for cross examination and the explanation of the plaintiff could be recorded.



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C.V.KARTHIKEYAN, J.

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3. Taking all the factors into consideration, a direction is issued that the original of the membership card must be produced for comparison purpose and later a copy could be marked. All the three applications stand allowed.

4. The plaintiff to graze the witness box before the learned Additional Master No.III on 24.06.2024. The evidence in chief should be restricted only to the knowledge of the documents now produced and there should not be any attempt made to speak about issues which had already been spoken by the witness. The evidence in chief is to be taken orally.

5. List the matter before this Court immediately after recording of evidence is completed.

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10.06.2024

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