A.No. 5050 of 2023
And
A.No. 78 of 2024
IN
C.S.No. 325 of 2009

C.V.KARTHIKEYAN, J.

A.No. 5050 of 2023 has been filed by the applicant / 8th defendant in the suit seeking permission to produce further documents.

2. The documents which are now sought to be additionally produced are copies of the General Power of Attorney, sale deed, encumbrance certificate, cancellation of the General Power of Attorney, certificate of registration, bank statement and permission obtained Corporation of Chennai, CMDA and copies of patta and water tax receipt and property tax receipts and electricity board receipts. Most of them are from public authorities and therefore even if there is any doubt raised relating to genuineity, the original records can always be produced. Subject to admissibility, relevancy and proof, the documents may be taken on record.

3. It is made clear that if objections are raised for marking of documents as Exhibits, the learned Master, who records the evidence may note down the said objections and at the time of arguments, such objections may be answered by the learned counsel. Placing that caveat on the learned counsel, A.No. 5050 of 2023 stands allowed.

4. A.No. 78 of 2024 had been filed seeking permission again by the eighth defendant to produce one further document, namely, bank statement.

5. An objection had been raised on behalf of the plaintiff that the statements produced is not in accordance with the Bankers Evidence Act. But however, the procedure with respect to bank statements has changed a little, consequent to the computerisation of the accounts and every bank statement extracted could be certified as true copy by the Manager of the bank or by any authorised person. Even otherwise, if it is a print out, then a certificate under Section 65-B of the Evidence Act 1872 would be required. Learned counsel states that such certificate had been produced. Subject to admissibility, proof and relevancy, the document may be taken on record. Hence, A.No. 78 of 2024 stands allowed.

Vsg 03.07.2024

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