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A NO. 5978 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-12-2024

CORAM

THE HONOURABLE DR JUSTICE G. JAYACHANDRAN

A NO. 5978 of 2024 in C.S.No.92 of 2021

MALLIHESWARI

W/o Dayanandhan D/o Late Dhandapani No.44, Pookara Street,
Muthialpet, Pondicherry

Applicant(s)

Vs

D.Kalyankumar

S/o Late R.Dandapani Old No.51, New No.9, 1st Street Extension
I, Venkadesa Nagar, Virugambakkam Chennai - 600 092

Respondent(s)

For Applicant(s):

M/s.N.Beulah John Selvaraj

For Respondent(s): M/s.Juris and Justia for D1 and D2

Ms.VSrimathi for D3

ORDER

Application is filed by the application/plaintiff to receive additional documents

numbering 28, except the 1st document which is the sale deed dated 14.12.2017 rest are

all letter communications written by Dhandapani, the father of the plaintiff to third parties.

2. The learned counsel appearing for the applicant/plaintiff submits that 1st document which

is the sale deed is to show the source of the property and the other documents which are letter

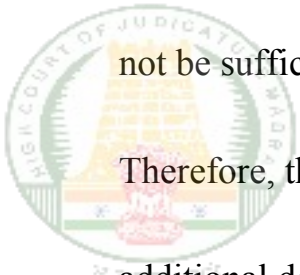


communications to show that Dhandapani is in the habit of signing in Tamil and English. Therefore, the registered settlement relied by the defendant in which the signature of Dhandapani is found in English is not signed by Dhandapani, but it is a forged document.

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3. The learned counsel appearing for the defendant submits that the said Dhandapani is a Government Employee and he is in the habit of signing in Tamil and English. All his official documents, been signed in English and therefore these letters which are sought to be introduced as additional documents have no relevance and will not lead to any conclusive proof that the said Dhandapani is used to sign only in Tamil. Further, the learned counsel also submits that the 1st document sale deed dated 14.12.2017 already been relied by the defendant himself and shown as defendant's side documents in the written statement. Hence, there need not be an order to receive the document which only be superfluous.

4. This Court finds force in the submission made by the learned counsel for the respondent/defendant . The plaintiff who had laid the Suit in the year 2021 ought to have produced all the documents relied by him along with the plaint. Having failed to do so, if he needs to file any additional document there must be justification and reasoning. As far as this application to receive additional document is concerned, this court finds no justification or reasoning and infact in the letters alleged to have been sent by Dhandapani to various third parties, signature of Dhandapani is in tamil, it will



not be sufficient to show that Dhandapani is not in habit of signing his name in e

Therefore, the documents have no relevancy. Hence, the application to receive the additional document shall stands dismissed.

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13-12-2024

Vv

To

1. D.Kalyankumar

S/o Late R.Dandapani

Old No.51, New No.9, 1st Street Extension I,

Venkadesa Nagar,

Virugambakkam

Chennai - 600 092

2. MANOJ

S/o Late Jayanthi @ Vanaja, Grandson Of Dhandapani,

No.4/21, Panjayath Colony,

Muthumazaj Nagar, Saligramam

Chennai 93(amended As Per Order Dt 18/08/2021 In Appli.No.2859/2021

3. G.K.Balaji

S/o G.R.Krishnaiah Cherry

No.1007, Tvs Colony, 50th Street,

Anna Nagar West Extent,

Chennai 600 101.