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A.No.1447 of 2025
in C.S.No.195 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-06-2025

CORAM

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

A.No.1447 of 2025

in

C.S.No.195 of 2017

A.No.1447 of 2025:

A.Raj Kumar, S/o.Ayyasamy
W564, Jeyantha Serene, T1 Park Road,
Anna Nagar, West Extension, Chennai-600 101

Applicant(s)

Vs

1. Preetha Prasad
Residing at No.7, Beverly Gardens,
Wembley HA9 9RD, London, United Kingdom.

2.Carthiha Devi
W/o.Rajkumar,
W 564, Jeyantha Serence T1, Park Road, Anna
Nagar West Extension, Chennai 600 101.

Respondent(s)



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Preetha Prasad
No.7, Beverly Gardens, Wembley
HA9 9RD, London, United Kingdom

Plaintiff(s)

Vs

1.Raj Kumar
W564, Jeyantha Serene, T1 Park Road, Anna Nagar,
West Extension, Chennai-600 101

2.Certhiha Devi
W564, Jeyantha Serene, T1 Park Road,
Anna Nagar, West Extension, Chennai-600 101

Defendant(s)

Application filed under Order XIV Rule 5 of the Original Side Rules
r/w Order VIII Rule 14(2) and Section 151 CPC to condone the delay,
thereby, permit the petitioner/first defendant in filing the documents as
listed in the Annexure filed along with judges summons as the first
defendant side documents in suit C.S.NO.195 of 2017 pending on the file of
this Court.

For Applicant(s) :M/s.Swaraj Associates

For Respondent(s) :Mr.E.Prabu



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ORDER

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This application has been filed to condone the delay in filing the documents by the first defendant.

2. The documents had been listed in the Judges Summons. Perusal of the same shows that they are electronic documents and it is claimed that they are electronic mails exchanged between the plaintiff and the first defendant. Apart from these electronic documents, the first defendant also seeks to mark the bank statements of State Bank of India and also the intervener petition filed by the plaintiff in Crl.M.P.No.304 of 2016 and the certified copy of the bail order passed in Crl.M.P.No.304 of 2016 before the Additional Mahila Metropolitan Magistrate Court, Egmore, Chennai.

3. Counter has been filed by the plaintiff claiming that the authenticity, integrity and genuineness of the said documents are doubtful and also stating that that there had been no sufficient cause shown for the delay in introduction of the said documents.



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4. These are issues, which could be dealt with during the cross-examination of the witnesses during the course of trial. Mere marking of the documents would not automatically mean that the documents should be looked into at the time of deciding the issues between the parties. During arguments, the learned counsel may still insist about the irrelevancy of the said documents and that they need not be considered, while determining the issues raised between the parties.

5. Placing this caveat, subject to the admissibility, proof and of course genuineness of the documents, the first defendant is permitted to introduce the said documents in the suit.

Accordingly, this application is allowed.

09-06-2025

nsd
Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No



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C.V.KARTHIKEYAN J.

nsd

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