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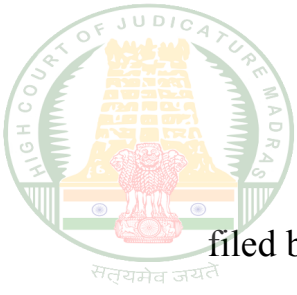
CMP.No.4166 of 2022
in AS.No.110 of 2022

N.SATHISH KUMAR, J.

This petition has been taken out by the appellant to permit him to file a copy of the registered memorandum of Deposit of Title Deeds dated 11.01.2016, executed by the deceased S.R.Anbalagan in favour of M/s. Equitos Finance Ltd., under document bearing no.38 of 2016, before the Sub Registrar, Rishivanthiyam as additional evidence.

2.The reasons assigned in the affidavit in support of this petition are that though the said document has been given to the trial Court Advocate, the document has not been brought on record by the counsel by mistake. Hence, he seeks to file the same as an additional document.

3.A counter affidavit has been filed by the respondents to the effect that the trial Court has already compared the signature by exercising its power under Section 73 of the Evidence Act, 1872. The suit was filed on 03.11.2018 and pending till 29.11.2019. Now, the document sought to be



filed before this Court has not been produced before the trial Court.

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N.SATHISH KUMAR, J.
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By way of filing the present document, the appellant is trying to adduce the fresh evidence on record and hence, he is not entitled for the same in at the appellate stage and hence the respondents oppose this petition.

4. In the light of the detailed order passed in C.M.P.No.4164 of 2022, dated 04.02.2025 passed by this Court and on considering the averments made in the affidavit filed in support of this petition, this Court is of the view that the petitioner has made out the case. Accordingly, this petition is allowed.

Dn

04.02.2025

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