



A.No.1103 of 2025
in CS.No.764 of 2015

A.A.NAKKIRAN, J.

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This application has been filed to receive the documents mentioned in the accompanying petition as additional evidence on the side of the applicant/plaintiff.

2. Heard both sides.

3. The learned counsel for the applicant submitted that as the true copy of the account statements was not available, the said document could not be marked. On request, City Union Bank furnished statement of account with regard to transfer of funds to the account of the defendant and also issued a letter dated 26.11.2024 to the husband of the applicant mentioning the payment particulars made by him to the defendant. He further submitted that in the letter dated 07.01.2014, the defendant had admitted about the execution of the sale deeds in favour of her and also sought extension of time till 30.11.2014 to vacate and handover possession of the suit properties. Now she is filing the original of said document herewith. Unless the documents are received, serious hardship will be caused to the the applicant. Hence, he prays to allow this application.



A.A.NAKKIRAN, J.

gv

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4. Learned counsel for the respondent submitted that the applicant is now attempting to introduce the new documents to fill up the lacuna and there is no valid reason for non-production of the said documents earlier and it should not be permitted at this stage after the trial has commenced as the same would cause prejudice to him. Hence, he strongly opposed for allowing this application.

5. Upon hearing the submissions made on either side and perusing the materials available on record, being satisfied with the reasons stated in the affidavit and taking note of that no prejudice would be caused, if this application is allowed and in the interest of justice, this application is allowed subject to proof and relevancy.

6. Registry is directed to list the matter before the learned Additional Master concerned, for recording evidence on 02.04.2025.

Gv

19.03.2025



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