



WEB COPY

A No. 2715 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-10-2025

CORAM

THE HONOURABLE DR.JUSTICE R.N.MANJULA

**A No. 2715 of 2025
and C.S.No.635 of 2015**

1. Dr.Shireen S.Rajaram
D/o.Late Mr.C.Rajaraman, 8865, Izard
Circle, Omaha, Nebraska-68114, USA

Applicant(s)

Vs

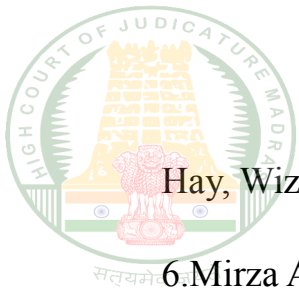
1. Yahyaa Mohammed and 6 others
No.8, 44th Street, Ashok Nagar, Ch-600
083.

2.Ishaaq Mohammed
S/o.Naseer Mohammed

3.Haseen Zarin Taj
All at No.8, 44th St. Ashok Nagar, Ch-
83

4.Ravi P.Rajaram
9840, SW Dapplegrey Loop,
Beaverton, Oregon-97008, USA

5.Mirza Amir Ali
Apt. No.4, Bldg.No.6, Bajeediya St.



Hay, Wizaraat, Riyadh, Saudi Arabia

6.Mirza Armaan Ali

Apt. No.4, Bldg.No.6, Bajeediya St.

Hay, Wizaraat, Riyadh, Saudi Arabia

7.Riffaa Fathima Ali

Rep.by father and guardian Mirza Amir

Ali, Apt. No.4, Bldg.No.6, Bajeediya

St. Hay, Wizaraat, Riyadh, Saudi Arabia

Respondent(s)

PRAYER: Application is filed to permit the Applicant to mark the respective certified copy/photocopies of the documents mentioned in the schedule to the Judges Summons as secondary evidence in the present suit.

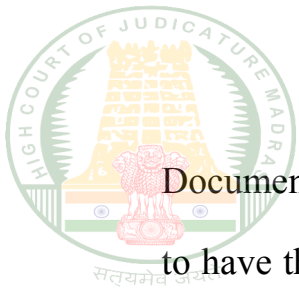
For Applicant(s): MR.V.P. Raman

For Respondent(s): M/s Rukmani For
M/s.P.B.Ramanujam
for D1 and D2
Dr.S.Vidya D3 and D5

ORDER

This application has been filed to permit the Applicant to mark the respective certified copy/photocopies of the documents mentioned in the schedule to the Judges Summons as secondary evidence in the present suit.

2. In pursuant to the earlier order dated 15.09.2025 now it is learnt that the applicant could get the certified copy of Document No.2. In respect of



Document Nos.3 to 8, it is submitted that the subsequent purchaser who is said to have the custody of the document, is willing to give the documents to D.W.1 to be produced before the Court. So far as the first document which is the settlement deed dated 23.01.1976 in favour of D1 and D2 in Document No. 448/1976 is concerned, the learned counsel for the applicant submitted that the original settlement deed has a sketch and the document has been registered along with the sketch. When the applicant applied for a registration copy of the original, he was not able to get the copy of the sketch also, but he could get only the registration copy of the settlement deed. So he requested that he should be permitted to mark the photocopy of the settlement deed along with the sketch. In such case, it is open to the applicant to summon the concerned Sub-Registrar with a request to bring a certified photocopy of the sketch also if it is available in his records as alleged by the petitioner.

3. However the learned counsel for the applicant insisted that the learned Master cannot simply refuse to mark the photocopies of the documents and it is obligatory on his part to mark it subject to the objection raised by the other side and then send it to this Court to decide about its admissibility.

4. In support of his contention, he cited the decision of this Court in the case of ***G.Jawahar and on anr., Vs. M/s. Exemplarr Worldwide Limited in C.S.No.625 of 2019 dated 15.12.2023***. Even in this case the issue raised by the



other side is the objection to mark the photocopy of the documents. Had the matter was pending before the Master and if the Master refuses to record the objection, then it would have been possible for this Court to consider any of the procedural aspect that is permitted on the order dated 15.12.2023. In the present case, the very same issue of admissibility of document has been taken up. Hence, the parties are not required once again to go to the Master and produce the photocopy and then allowing the Master to record the objection of the other side and then send back the records to this Court to give a decision on it.

5. In view of the observation now made, it is possible for the applicant now to summon the Sub-Registrar for the purpose of producing a certified copy of the above document along with the sketch, if any. So far as the Document No.2 is concerned, the applicant is said to have got the certified copy and hence there will not be any difficulty for him in marking the same. With regard to Document Nos. 3 to 8, it is up to the defendant to get back those documents from his purchaser or whoever is holding its custody and mark it as his side document. If the applicant feels that it is inconvenient to summon the Sub-Registrar but it will be comfortable for him to summon the person who is holding the custody of the original settlement deed, nothing will prevent him to apply for the issuance of summon to the concerned person.



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6. With the above liberty given granted to the applicant, this applicant is disposed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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R.N.MANJULA J.

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**A No. 2715 of 2025
in C.S.No.625 of 2019**

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