

A NO. 1500 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-08-2025

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THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

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A No. 1500 of 2025

in C.s.No.267 of 2019

S.P.Velumani

S/o.Late Mr.Palanisamy, No.7/1-C, Sugunapuram East,
Kuniamuthur, coimbatore 641006

Applicant(s)

Vs

M.K.Stalin

S/o.Late M.Karunanidhi, No.25/19, Chittrangan Road, Cenotaph
Road, Alwarpet, Chennai 600 018.

Respondent(s)

For Applicant(s): Mr.K.Gowtham Kumar

For Respondent(s): Mr.S.Manuraj

ORDER

The present application has been filed to receive the nine (9) Additional Documents filed by the Applicant morefully described in the Schedule appended to the Judges summons.

2. Heard Mr.K.Goutham Kumar, the learned counsel appearing on behalf of the applicant and Mr.S.Manuraj, the learned counsel appearing on behalf of the respondent.



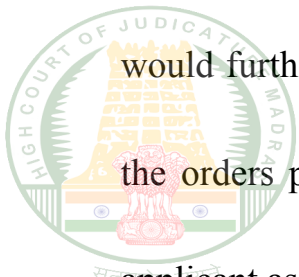
3. Learned counsel appearing for the applicant would submit that due to inaccessibility of the documents listed under the Judges summons have been failed to be produced before this Court along with the plaint or the reply statement and he would submit that the documents are

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relevant to the suit to substantiate his case and therefore he would pray this Court to receive additional documents listed in the Judge's summons.

4. On the other hand, Mr.S.Manuraj learned counsel appearing for the respondent would vehemently contend that the suit was filed as early as on 10.04.2019, the written statement was filed on 23.08.2022 and that a reply statement was also filed on 15.11.2022 and issues were framed on 03.04.2023 and referred to learned Additional Master-III for recording of evidence where the same was pending from 02.08.2023 to 06.12.2024 and presently the said application had been filed.

5. He would submit that the time line itself would show that the applicant is trying to protract the proceedings. He would further submit that the defamatory remarks were made during the political campaign. He would submit that the documents listed in Serial Nos.2 & 3 are not relevant to the suit as the FIR had not been registered at the instance of the applicant and further the said FIRs had been closed against which no proceedings have been initiated. He



would further contend that the documents sought to be received in Serial No.7 only the orders passed by this Court and the Hon'ble Apex Court which may not also help the applicant as the respondent is not a party to the said proceedings and therefore, he would pray this Court to dismiss the application.

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6. In reply, the learned counsel appearing for the applicant would submit that he will not press the documents in Serial Nos. 2 & 3 to the Judge's summons and with regard to the documents in Serial Nos. 7 to 9, he may be permitted to rely upon the same at the time of arguments as under the said orders the complaint filed by the Department as against him on the very same allegation made by the respondent have been quashed.

7. I have considered the rival submissions made by the learned counsels appearing on either side and perused the materials available on record.

8. The issue that is to be decided by this Court is only with reference to the documents Nos.1, 4, 5 & 6 appended to the Judge's summons. The suit had been initiated based upon a statement which is alleged to have been made by the respondent herein which according to



the applicant is per se defamatory. The applicant had filed a compact disc containing said

defamatory allegations made on 04.04.2019. The document in Serial Nos.1, 4, 5 & 6 to the

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schedule to the Judge's summons are sought to be marked to substantiate that the said
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defamatory statement made on 04.04.2019 which had reached many viewers damaging the reputation of the applicant. It is axiomatic that in a suit for libel not only the statement made is to be found per se defamatory but also had been viewed by other people leading to damage of reputation of the applicant/ plaintiff and from the perusal of the pleadings in the plaint and the reply statement, it could be seen that the applicant had pleaded loss of reputation due to the defamatory statement made by the respondent.

9.For the aforesaid reasons, I do not find no impediment in partly allowing the application that with reference to document No.1, 4 to 6 alone, the applicant is at liberty to rely upon document Nos. 7, 8 & 9 during the final arguments in the suit.

10.In fine, the application is partly allowed and document Nos.1, 4 to 6 to the schedule to the Judge's summons are directed to be received as additional documents on the side of the applicant.



11. List the matter before the learned Additional Master-III for recording of evidence on

25.09.2025.

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To

1. M.K.Stalin

S/o.Late M.Karunanidhi, No.25/19, Chittrangan Road, Cenotaph Road,
Alwarpet, Chennai 600 018.