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A NO. 4201 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2025

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THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

A Nos. 4201, 4202 & 4203 of 2024

in

C.S.No.896 of 2008

M.M.Selvam
Fashion Process Mill, Yuvaraj Complex,
Mannarai, Tirupur - 641 607.

Applicant(s)

Vs

M.M.Sampath Kumar And 3 Others
S/o.M.M.Balasubramaniam, No.4, 1st Main
Road, Anna Nagar, Peelamedu, Coimbatore
641 004. and 3 Others

Respondent(s)

For Applicant(s):

Mr.R.Saravanakumar
(in all three applications)

COMMON ORDER

All these three applications have been filed, seeking to reopen the evidence of D.W.1, to recall him for further examination and incidentally, also to introduce further documents to be marked on the side of the second defendant.



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2. The necessity to file these documents has been explained in the affidavit filed in support of the Judge's Summons, wherein the applicant had stated that during the course of evidence, D.W.1 had stated various facts, which were strictly not in alignment with the pleadings. In order to clarify that issue, it had been stated that it is essential to recall D.W.1 and mark the documents now sought to be introduced.

3. The documents have been listed in the annexures to the Judge's Summons in Application No.4201 of 2024 and a perusal shows that they are Partnership Deeds and GST Registration Certificate, Income Tax Returns, Factory License and the Consent Order issued by the Tamil Nadu Pollution Control Board. Since the documents have been mentioned as copies, it would only be appropriate that the originals are produced and the learned counsel for the respondent may compare them and subject to his opinion, the copies may be marked, subject of course to proof and relevancy and admissibility.

4. Taking an overall view of the entire issue, all these three applications in A.Nos.4201 to 4203 of 2024 in C.S.No.896 of 2008 are allowed. The witness may also be cross-examined on all these issues by



the learned counsel for the respondent. D.W.1 to be present before the

learned Additional Master No.IV on 03.07.2025.

18-06-2025

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To

1. M.M.Sampath Kumar And 3 Others
S/o.M.M.Balasubramaniam, No.4, 1st Main Road,
Anna Nagar, Peelamedu, Coimbatore 641 004.

2. M.M.Manoharan
No.35A, Kandaswamy Chetty Street, Tirupur 641 004.

3. M.M.Elango
Yuvaraj Trade Centre, No.1/1B, (1) Gandhi Road, Avinashi Main Road,
Annupparapalayam Post, Tirupur 641 652.

4. M.M.Muthukumar
RAG Parrys, B22, Manasoravar, Medavakkam Main Road, Ullagaram,
Chennai 600 091.



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C.V.KARTHIKEYAN, J.

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