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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 19-11-2025**

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**THE HON'BLE MR.JUSTICE N.SENTHILKUMAR**

**A No. 3347 of 2025**

**in C.S.(Comm.Div)No.111 of 2021**

1. Gurugadahalli Rudresh Sharanth  
Madihalli Extension, Hassan Circle, Tiptur,  
Karnataka - 572 201 and another

..Applicants/defendants

Vs

M/s.Susil Palm Products  
Madihalli Extension, Hassan Circle, Tiptur,  
Karnataka - 572 201 and 4 others

..Respondents/Plaintiffs

Prayer : Application is filed to allow the Applicant/1st Defendant to bring on record (i) Notice dated 08/07/2024 issued by the 1st Defendant under order XII Rule 8 of CPC to the Plaintiffs (ii) Reply Notice dated 10/02/2021 issued by the Plaintiff counsel (iii) Notice dated 22/07/2024 issued by the Plaintiff under order XII Rule 8 of CPC to 1s Defendant (iv) Reply notice dated 02/08/2024 issued by the 1st Defendant counsel along with Annexure (v) Original GST Invoice dated 17/01/2018 pertain to Green Bell Printing rollers manufacturer (Sree D Gravure Pvt Ltd) and email correspondents between 1st Defendant art work creator as well as packaging material manufacture, and (vi) RTI Report



dated 16/08/2024 relating to VSA Cocos, as 1st Defendants additional documents  
in C.S.(Comm.Div) No.111 of 2021.

For Applicant(s): Mr.S.A.Shanmugam

For Respondent(s): Mr.Advaith R.

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### **ORDER**

By this application, the applicants/defendants seek permission of this Court to mark additional documents in the suit.

2. The main contention of the applicants is that the plaintiffs have suppressed the notice dated 10-02-2021, which was issued by them prior to the paper publication notice dated 17-06-2021 for effecting service in Kashmir Reader at Jammu and Kashmir. The said notice dated 10-02-2021 was sent through the Registered Postal Acknowledgment and was received on 15-02-2021. However, the plaintiffs have referred only the reply notice dated 08-02-2021. Hence, the present application has been filed by the defendants seeking permission of this Court to mark all the relevant documents for proper adjudication.

3. Per contra, the learned counsel for the respondents/plaintiffs filed



counter stating that, the stage at which the present application has been taken, is

contrary to the provisions under Order XI Rule 10 of the CPC, which requires sufficient cause to be shown for adducing evidence and marking documents that were already within the knowledge and possession of the applicants / defendants.

4. A perusal of the written statement, it reveals that the defendants had referred only the notice dated 08-02-2021. It is not in dispute that the notice dated 08-02-2021 was duly served on the defendants. However, the applicants/defendants now contended that the notice dated 10.02.2021, which was sent through the Registered Postal Acknowledgment and received by them on 15-02-2021, was not available with them earlier. Therefore, the said notice and other related documents have to be marked as additional documents on record before the trial Court for its consideration.

5. Upon examining the affidavit filed in support of the application and considering the submissions made by both sides, this Court is inclined to allow the application. Accordingly, the application is ordered as prayed for.



6. Both the learned counsel appearing on either side submit that the trial will commence from 27.11.2025. In view of the said submission, the Commissioner, Arbitration and Conciliation Centre shall conduct the trial on 27.11.2025 on a day-to-day basis and the parties shall undertake to co-operate with the expeditious conduct of the trial.

**19-11-2025**

KJ

To

The Commissioner,

Arbitration and Conciliation Centre,

High Court, Chennai.



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**N.SENTHILKUMAR, J.**

Kj

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