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A NO. 6084 of 2024 in C.S.No.259 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-03-2025

CORAM

THE HONOURABLE MR JUSTICE K.KUMARESH BABU

A NO. 6084 of 2024 in C.S.No.259 of 2022

J.N.Ramji alias J.N.Jahath Ramjee
7th and 8th Floor, Kuppu Arcade, No.4,
Venkatanarayana Road, T.Nagar, Chennai 600 017.

Applicant(s)

Vs

S.X.J. Vasam
S/o.Late S.Xavier, No.11, Ayyavu Street, Ayyavu
Colony, Aminjikarai, Chennai 600 029.

Respondent(s)

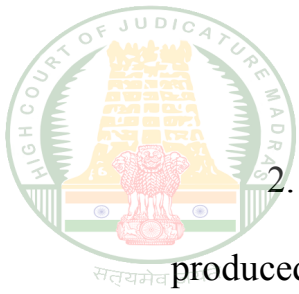
For Applicant(s):

Mr. G. Muthukumar

For Respondent(s):

ORDER

This application has been filed to issue summons to Income Tax Officer, Non Corporate Ward 8(1) Chennai for giving evidence and production of documents such as Income Tax Returns of the respondent/plaintiff for the Accounting years 2016-2017 and 2017-2018.



2. The respondent/plaintiff had filed a counter and along with, he has produced income tax returns for the Accounting years 2016-2017, 2017-2018 and 2018-2019 also.

3. From the Court records, it is seen that P.W.1 had been examined in chief on 13.02.2024 and thereafter, the matter has been time and again adjourned for cross of P.W.1 and that in each of the hearing, P.W.1 was present himself and was not cross examined. Only on 06.06.2024, 16.07.2024 and 31.07.2024, P.W.1 was cross examined, that too, only in part. On all other days, time had been sought for by the applicant/defendant under one pretext or other. When the matter was listed on 29.08.2024, a representation was made that an application to call for Income Tax Returns has been filed and on that pretext, adjournments have been sought for.

4. Finally, the application came to be listed on 02.12.2024. It is also pertinent to note that the respondent/plaintiff, who had been examined himself as P.W.1, is a senior citizen, who is aged about 77 years as on today.

5. In view of the fact that the respondent/plaintiff who is P.W.1, has produced various income tax returns starting from the Accounting Year 2016-



2017 to 2018-2019, I do not see any purpose in ordering the application as prayed for.

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6. Considering the fact that has been recorded supra, the matter is remitted back to learned Additional Master IV for continuation of recording of evidence of P.W.1 on 27.03.2025 and the defendant's counsel is directed to cross examine P.W.1 within a period of three weeks therefrom.

7. It is made clear that the evidence, in the instant suit, shall be completed by the respective parties on or before 30.06.2025 and thereafter, the matter shall be listed before this Court on 07.07.2025.

8. With the aforesaid direction, this application is closed.

9. List the matter before the learned Additional Master IV on 27.03.2025.

20-03-2025

sr



K.KUMARESH BABU.J.,

sr

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To

1. S.X.J. Vasan
S/o.Late S.Xavier, No.11, Ayyavu Street, Ayyavu Colony,
Aminjikarai, Chennai 600 029.

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