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A NO. 4123 of 2025
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-08-2025

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THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

A.No.4123 of 2025

in C.S.No.525 of 2019

Mr.R.Balasubramanian
S/o.Ramachand Iyer, No.18/20, Rajaji Street,
Chengam, Tiruvannamalai-606 701

Applicant(s)

Vs

Mrs.K.Jayanthi and 6 others
Rep.by G.P.A. M.Palani, No.520, Anna Nagar III
Avenue, N.S.K.Nagar, Arumbakkam, Ch-106 and
6 Others

Respondent(s)

For Applicant(s):

Mr.K.Krishnan

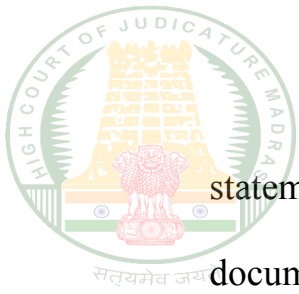
For Respondent(s):

Mr.Adinarayana Rao
(For R1 & R2)

ORDER

The present application has been filed to receive the documents mentioned in the Judge's Summons and permit applicant to mark them as Exhibits 1 to 3.

2. Mr.K.Krishnan, learned counsel appearing for the applicant would submit that the documents sought to be filed in the Judge's Summons were the documents, were not been traced by him at the time of filing the written



statement and that the said documents have now been traced. The said documents may be permitted to be taken on file and to be marked as Exhibits 1 to 3 on his side.

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3. Mr. Adinarayana Rao, learned counsel appearing for the respondents 1 and 2 would submit that as regards to the second document namely, Statement of Accounts, he would have no objection, however, subject to proof and relevancy. As regards to the first document, namely, the Power of Attorney, which is claimed to have been executed by the son of the second defendant in his favour, he would submit that the respondent/plaintiff has not disputed the relationship between the second defendant and his son. He admits that the second defendant had been authorized by his son. Therefore, in such view of the admission, Document No.1 is not a necessary document. Similarly, with regard to the third document, he would submit that the said document is also listed as Plaint Document No.33 and has been marked as Ex.P33. Therefore, the said document also need not be permitted to be marked on the side of the defendant.

4. I have heard both sides and considered the submissions made by the



learned counsel appearing on either side.

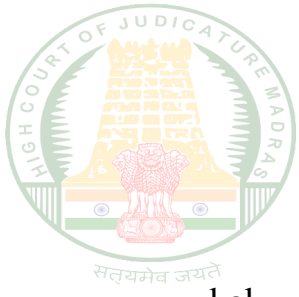
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5. Since with regard to the first document in the Judge's Summons, the learned counsel for the respondent/plaintiff does not dispute the relationship of the applicant as the Power Agent of his son, the said document, which seeks to establish the right of the applicant, need not be taken up. Similarly, since the third document had already been marked as Ex.P33, the request to receive the said document also need not be entertained.

6. As regards to the second document, the respondent/plaintiff himself has no objection to allow the said document, however, subject to proof and relevancy, the application is partly-allowed, by permitting the applicant to mark the Statement of Accounts listed as the second document in the Judge's Summons alone.

7. In fine, the application in A.No.4123 of 2025 in C.S.No.525 of 2019 stands partly-allowed by permitting the applicant to mark the second document, namely, the Statement of Accounts alone, however, subject to proof and relevancy.

8. However, there shall be no order as to costs.



21-08-2025

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To

1. Mrs.K.Jayanthi and 6 others

Rep.by G.P.A. M.Palani, No.520, Anna Nagar III
Avenue, N.S.K.Nagar, Arumbakkam, Ch-106

2. Mr.Palani

Propr. of M/s.Chandra Flat Promoters, No.110, 5th Street, N.S.K.Nagar,
Arumbakkam, Ch-106

3. Mr.B.Sridharan

S/o.R.Balasubramanian, No.18/20, Rajaji Street, Chengam, Tiruvannamalai-
606 701

4. Mr.Vinayaka Acharya

S/o.Krishnamurthy, No.16-B, VGN Lakshmi Nagar, Mugalivakkam, Ch-110

5. M/s.ICICI Banking Pvt Ltd

Rep.by its Manager, A-78, Plot No.3211, 3rd Avenue, Anna Nagar, Chennai

6. M/s.HDFC Bank

Rep.by its Manager, No.759, ITC Center, Anna Salai, Ch-2

7. Diwan Housing Finance Ltd.

Rep.by its Director, No.36/24, Kalpathika Tower, Dr.Ambedkar Rd.
Kodambakkam, Ch-24



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K.KUMARESH BABU, J.

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