



WEB COPY



A NO. 5119 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-11-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

**A NO. 5119 of 2025
in
C.S.No.2 of 2024**

1.Mr. P.Gopinath
2.Mr. S.R.Prabhu
3.Mr. S.R. Prakash Babu
4.Mr. R. Thanga Prabakaran

Applicants

Vs

1.Mr. M.R. Mohan Ratha
2.Mrs. Kritia Mohan Ratha

Respondents

For Applicants : Dr. S.S. Swaminathan

For Respondents : No Appearance

ORDER

This petition has been filed to recall P.W.1 for the purpose of marking of additional documents.

2. According to the applicant/plaintiff, the main suit has been filed for recovery of money based on the registered mortgage deed. It is stated that P.W.1 has already been examined, and certain documents have been marked. However, during the course of cross-examination, it was found that the original



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documents had not been marked. Hence, the present application has been filed to receive and mark the said original documents.

3. On the earlier occasion, the other side was not present, and even today, there is no appearance on their behalf.

4. Though in the main case, the defendants appeared through their counsel, after numbering the application, this Court took up the matter for adjudication from 04.11.2025 to 11.11.2025, for filing the counter, none appeared and there was no representation for the respondents.

5. Considering the nature of the application and the submissions made by the learned counsel for the applicants, in order to give a fair chance to the applicants to contest the case, it is necessary and appropriate to allow this application.

6. Accordingly, this application is allowed.

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P.DHANABAL, J.

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