



WEB COPY

A No. 377 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2026

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THE HONOURABLE MR.JUSTICE P. DHANABAL

**A Nos.377 to 379 of 2026 in
C.S.No.10 of 2024**

V.Narayanaswami

Applicant in all cases

Vs

M.Rajesh Mootha

Respondent in all cases

A.No.377 of 2026

Prayer This application is filed to recall DW1 Mr.V.Narayanaswami in the joint trial of CS No.251 of 2023 and C.S. No.10 of 2024, permit re-examination

A No. 378 of 2026

Prayer This application is filed to appoint an Advocate Commissioner for recording of evidence of Mr.V.Narayanaswami/Applicant herein at New Number 344 (Old Number 244), First Floor, TTK Road, Ambujammal Street, Alwarpet, Chennai-600 018 as a witness in the joint trial of C.S. No.251 of 2023 and C.S. No.10 of 2024 and thus render justice.

A No. 379 of 2026

Prayer This application is filed to permit the schedule mentioned additional documents filed by the Applicant to be taken on record in C.S.No.10 of 2024.

In all cases

For Applicant:	Mr.S.Sowjanya for M/s.G.R.Associates
For Respondent :	Mr.K.V.Babu



COMMON ORDER

The application in A.No.377 of 2026 has been filed to recall DW1 Mr.V.Narayanaswami in the joint trial of CS No.251 of 2023 and C.S. No.10 of 2024, permit re-examination

2. The application in A.No.378 of 2026 has been filed to appoint an Advocate Commissioner for recording of evidence of Mr.V.Narayanaswami/ Applicant herein at New Number 344 (Old Number 244), First Floor, TTK Road, Ambujammal Street, Alwarpet, Chennai-600 018 as a witness in the joint trial of C.S. No.251 of 2023 and C.S. No.10 of 2024.

3. The application in A.No.379 of 2026 has been filed to permit the schedule mentioned additional documents filed by the Applicant to be taken on record in C.S.No.10 of 2024.

4. Heard the learned counsel on either side and perused the materials available on record.

5. On perusal of the documents, it is seen that C.S.No.10 of 2024 has been tried along with C.S.No.251 of 2023 and in the said suits, witnesses have already been examined and the cases are posted for arguments. At this stage the present applications have been filed to recall and re-examine the defendant side evidence and to adduce additional documents. According to the respondent, these applications have been filed only to drag the proceedings in the suits.



6. It is an admitted fact that in both the suits, both side evidence have been completed and the suits are posted for arguments. At this stage these applications have been filed to recall and re-examine the evidence and produce additional documents. Already the defendant has been examined through an Advocate Commissioner appointed on an application No.1765 of 2025. The documents sought to be adduced at this stage are only photographs and video graph of the subject mentioned property. In the affidavit filed in support of the applications, there is no whisper about as to when the photo or video are taken and they are no way relevant to decide the suits. The suits are filed for partition and for permanent injunction. Hence, this Court is of the view that these applications have been filed only to drag the proceedings in the suits.

7. Therefore, these applications are dismissed. The defendant side evidence is closed. Post the suits for arguments on 06.02.2026.

29-01-2026

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To
1.M.Rajesh Mootha
S/o.Mr.D.M.Mootha, No.555, K.K.N.
Road, Alandur, Chennai-16



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P. DHANABAL,J.

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**A Nos.377 to 379 of 2026 in
C.S.No.10 of 2024**

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