



WEB COPY

CRP No. 2587 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

CRP No. 2587 of 2019
and CMP.No.17045 of 2019

Leslie Martin

..Petitioner(s)

Vs

1. M.Krishnamoorthy
2. K.Kasthuri
3. Regional Sales Manager
Castrol India Ltd., Southern Region Office,
Rayala Towers, V Floor, Post Box No.396,
781-785, Anna Salai, Chennai – 600 002.
4. M/s. Castrol India Ltd
Regional Office, White House,
91, Walkeshwar Road, Mumbai - 400006
5. Mr.V. Mariyappan

..Respondent(s)

PRAYER:- Civil Revision Petition has been filed under Article 227 of the Constitution of India, to set aside the order and decretal order passed by the learned District Judge, Kancheepuram made in IA No.603/2018 in OS No. 198/2010 and permit the petitioner to mark the printout of the quality analysis report as electronic evidence.

For Petitioner(s):

Mr.Arun C.Mohan

For Respondent(s):

No appearance for RR1 to 3
RR4 & 5 – notice dispensed with vide
Court order dated 04.03.2026

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ORDER

An application filed by the petitioner to receive additional documents had been partly allowed rejecting the documents namely the document which reflected the Quality Control Laboratory Report dated 17.06.2006 on the sole ground that the same was a printout of an electronic evidence which was not supported by a certificate under Section 65B.

2. Heard Mr.Arun C.Mohan, learned counsel appearing on behalf of the petitioner. In spite of entering appearance and their name being printed in the cause list, there was no appearance on behalf of the respondents 1 to 3.

3. Mr.Arun C.Mohan, learned counsel for the petitioner would submit that in a suit for damages filed by respondents 1 & 3, the petitioner who is the third defendant had taken out application to receive document of which one of the document is a computer printout. A supporting Section 65B certificate was also sought to be taken by independent I.A. which has been dismissed. That apart, a separate affidavit confirming to Section 65B has also been filed with the documents and the same also has not been considered, when such certificates were available, the Court has rejected the documents for want of certificate. Hence, he seeks indulgence of this Court to the order impugned in this Revision.



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4. I have considered the submissions made by the learned counsel appearing for the petitioner and perused the materials available on record before this Court.

5. An application to receive the Quality Control Laboratory Report had been dismissed as not supported by a certificate under Section 65B. An affidavit of the authorised signatory of the third defendant who is the petitioner herein had been filed in respect of the Quality Control Laboratory Report and the same has been filed along with the IA to receive the additional documents. The Court below could have returned the said documents instead of rejecting the same calling upon the petitioner to produce a certificate as required under Section 65B of the Indian Evidence Act. Even in the order, the prayer in respect of IA.No.600 of 2018 relates taking on record the computer generated documents as electronic evidence in view of Section 65B of the Indian Evidence Act. In such circumstances, the finding that had been given by the Court below that the same is not supported by a certificate is without appreciation of facts and without application of mind.

6. For the aforesaid reasons, this Court is inclined to interfere with the order impugned and the order partly rejecting the IA.No.603 of 2018 is set aside



and as a sequel, the same stands allowed with a direction to receive the documents listed as Document No.1 in I.A.No.603 of 2018 and the Court below is directed to receive the certificate filed under Section 65B in O.S.No.198 of 2010 and there shall be a further direction to the Court below to dispose of the suit within a period of six (6) months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is also closed. However, there shall be no order as to costs.

01-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GBA

To

The Section Officer,
VR Section,
Madras High Court,
Chennai.



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K.KUMARESH BABU, J.

GBA

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