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A.Nos.6170, 6171, 6173 & 6174 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 08-06-2026**

CORAM

**THE HON'BLE DR.JUSTICE A.D.MARIA CLETE**

**A Nos. 6170, 6171, 6173 & 6174 of 2025**

**in**

**C.S. No. 90 of 2021**

1. M/s Modfurn Systems (india) Pvt.Ltd., And  
Another  
Rep. By Its Director  
No.69,(old No.35)  
Thiru.Vi.Ka.High Road,  
Royapettah, Chennai 600 014.
2. M/s Jayabharatham Furniture And Appliances  
Pvt Ltd.  
Rep.By Its Director, No.69, (old No.35)  
Thiru.Vi.Ka.High Road, Royapettah, Chennai 14.

..Applicant(s)

Vs

The Indian Officers Association,  
(reg.No.2/1909/1910) Rep. By Its General Secretary,  
Mr.Murthy Centenary Building, New No.69, Old  
No.35, Thiru.Vi.Ka.High Road, Royapettah,  
Chennai - 600 014.

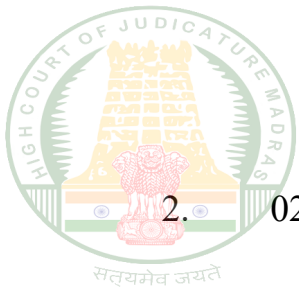
..Respondent(s)

**PRAYER in A.No.6170 of 2026:** To reopen the DW1 and examine the witness

**PRAYER in A.No.6171 of 2026:** To recall the DW1 and examine the witness.

**PRAYER in A.No.6173 of 2026:** To receive the following documents namely,

| SI.No. | Date       | Description of documents  | Nature |
|--------|------------|---|--------|
| 1.     | 13.02.2006 | Letter dated 13.02.2006 given by the 1 <sup>st</sup> defendant to the plaintiff | Xerox  |



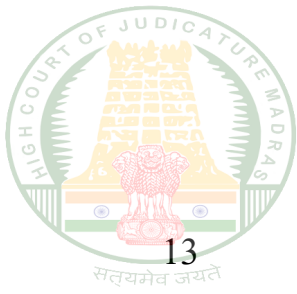
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2. 02.06.2006 Application form for the shops number 165, 166, Xerox 167 & 168 applied by the 2<sup>nd</sup> defendant before the plaintiff
3. 21.06.2006 Letter dated 21.06.2006 given by the 2<sup>nd</sup> defendant Xerox to the plaintiff
4. 18.08.2006 Letter dated 18.08.2006 given by the 1<sup>st</sup> defendant Xerox to the plaintiff
5. 18.10.2006 Letter dated 18.10.2006 given by the 1<sup>st</sup> defendant Xerox to the plaintiff
6. 04.11.2006 Letter dated 04.11.2006 given by the plaintiff to Xerox the 1<sup>st</sup> defendant

**PRAYER in A.No.6174 of 2026:** To receive the following documents namely,

| SI.No. | Date       | Description of documents   | Nature       |
|--------|------------|--|--------------|
| 1.     | 01.06.2016 | Letter dated 01.06.2016 regarding surrender of part area from 1 <sup>st</sup> defendant to plaintiff | Photocopy    |
| 2.     | 02.06.2016 | Letter dated 02.06.2016 from plaintiff to defendants   | Photocopy    |
| 3.     |            | Form 16 A for the period from 01-April-2016 to 30-June-2016  | Web printout |
| 4.     |            | Form 16 A for the period from 01-July-2016 to 30-September-2016                                      | Web printout |
| 5.     |            | Form 16 A for the period from 01-October-2016 to 31-December-2016                                    | Web printout |
| 6.     |            | Form 16 A for the period from 01-January-2017 to 31-March-2017                                       | Web printout |
| 7.     |            | Form 16 A for the period from 01-April-2017 to 30-June-2017  | Web printout |
| 8.     |            | Form 16 A for the period from 01-July-2017 to 30-September-2017                                      | Web printout |
| 9.     |            | Form 16 A for the period from 01-October-2017 to 31-December-2017                                    | Web printout |
| 10.    |            | Form 16 A for the period from 01-January-2018 to 31-March-2018                                       | Web printout |
| 11.    |            | Form 16 A for the period from 01-April-2018 to 30-June-2018  | Web printout |
| 12.    |            | Form 16 A for the period from 01-July-2018 to 30-September-2018                                      | Web printout |

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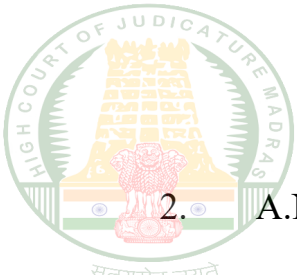
|    |   |              |
|----|---|--------------|
| 13 | September-2018  | printout     |
| 14 | Form 16 A for the period from 01-October-2018 to 31-December-2018 | Web printout |
| 15 | Form 16 A for the period from 01-January-2019 to 31-March-2019    | Web printout |
| 16 | Form 16 A for the period from 01-April-2019 to 30-June-2019       | Web printout |
| 17 | Form 16 A for the period from 01-July-2019 to 30-September-2019   | Web printout |
| 18 | Form 16 A for the period from 01-October-2019 to 31-December-2019 | Web printout |
| 19 | Form 16 A for the period from 01-January-2020 to 31-March-2020    | Web printout |
| 20 | Form 16 A for the period from 01-April-2020 to 30-June-2020       | Web printout |
| 21 | Form 16 A for the period from 01-July-2020 to 30-September-2020   | Web printout |
| 22 | Form 16 A for the period from 01-October-2020 to 31-December-2020 | Web printout |
| 23 | Form 16 A for the period from 01-January-2021 to 31-March-2021    | Web printout |
|    | 65-B Certificate  | Original     |

For Applicant(s): M/S.P. Jesus Moris Ravi  
J.Pravin

For Respondent(s): Mrs.R.Seethalaskhmi for Mrs.S.Meenakshi

### COMMON ORDER

These applications have been filed by the applicants/defendants in C.S.No.90 of 2021.



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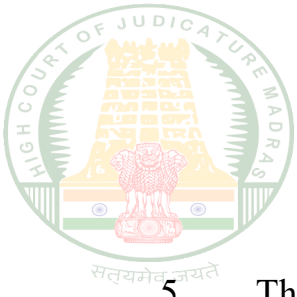
2. A.No.6170 of 2025 has been filed to reopen the defence side evidence.

A.No.6171 of 2025 has been filed to recall D.W.1. A.Nos.6173 and 6174 of 2025

have been filed to receive additional documents on the side of the applicants/defendants.

3. The suit in C.S.No.90 of 2021 has been filed by the respondent/plaintiff Association for recovery of arrears of rent and other consequential amounts from the defendants. Issues have already been framed, evidence has been let in on both sides, and the matter has reached the stage of arguments.

4. The learned counsel appearing for the applicants/defendants submitted that the additional documents are necessary to prove the actual security deposit, the actual space occupied by the defendants, the surrender/vacating of portions of the premises and the payments made by them. It is further submitted that the documents could not be produced earlier as the defendants had vacated the premises and shifted the records to a warehouse, where the documents were misplaced, and that the documents have now been traced.



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The learned counsel appearing for the respondent/plaintiff opposed the applications by contending that they are belated and have been filed after closure of evidence. It is submitted that D.W.1 was already examined in chief, documents were marked on the side of the defendants, D.W.1 was cross-examined in full, and the entire evidence was recorded. It is submitted that the present applications have been filed only after the matter was posted for arguments. It is further submitted that the present documents filed by the applicants is no way connected to the suit and the same are not necessary or vital documents to decide the present suit.

6. This Court has considered the submissions made on either side and perused the materials placed on record.

7. The suit is for recovery of alleged arrears of rent, maintenance, interest and other charges. The defendants dispute the claim, contending that the security deposits, area occupied/vacated, payments made and statement of accounts have not been properly accounted for.



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8. The documents sought to be produced relate to allotment of shops, security deposit, surrender of area, correspondence, TDS certificates and a Section 65B certificate. Prima facie, they pertain to the issues in dispute, including extent of occupation, security deposit, surrender/vacating of portions, adjustment of advance, payments and accounts between the parties and hence, the applications are liable to be allowed and since the respondent is aggrieved over the delay, the same can be compensated with costs.

9. Accordingly, A.Nos.6173 and 6174 of 2025 are allowed, subject to proof, admissibility and relevancy. A.No.6170 of 2025 is allowed and the defence evidence is reopened only for marking the additional documents. A.No.6171 of 2025 is allowed and D.W.1 is recalled and the applicants are directed to pay a cost of Rs.10,000/- jointly to the respondent within a period of two weeks from the date of receipt of a copy of this order.

10. Upon compliance with the payment of costs, Registry is directed to post C.S.No.90 of 2021 before the learned Additional Master. After completion, the suit shall be posted before this Court for arguments.

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11. With the above directions, A.Nos.6170, 6171, 6173 and 6174 of 2025 are allowed.

**08-06-2026**

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

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**DR.A.D.MARIA CLETE, J.**

**AY**

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in  
C.S. No. 90 of 2021**

**08-06-2026**

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