



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Fourteenth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CMP(MD) No.10081 of 2016

IN

SA No.2147 of 2001

ALLA PITCHAI

..PETITIONER/1ST APPELLANT

Vs.

1 MUTHUKARUPPA THEVAR (SINCE DECEASED)

2 SIKKANDAR

3 USMAN

4 ABDULKAREEM, (SINCE DECEASED)

5 PITCHAI AMMAL (SINCE DECEASED)

6 HAMEED BEEVI (DIED)

7 BALASUBRAMANIAN

8 GANDHI @ NAGALAINGAM

9 MANICKAM

10 VALLI

11 THENMOZHI

12 MUTHU

13 JOTHI

14 RAJA

15 KANNAN

16 THALEESHWARI

17 SARAVANAN

18 JAYARAMAN

19 DURAISAMY

20 THILLAIMOORTHY

21 SAROJA

22 NAZAR SHA

23 MOHAMED SHA

24 AMZAD SHA

25 ABDUL KALAM AZAD SHA

26 ABDUL BARAKAT SHA

27 SHATHIK SHA

28 HAJIRA FATHIMA

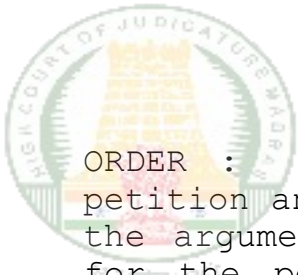
..RESPONDENTS 1 TO 28/

RESPONDENTS 1 TO 28

29 MUSTAFFA

..29TH RESPONDENT/2ND APPELLANT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to return the original sale deed dated 29.12.1981 (Ex.A1) to the petitioner after substituting the same by certified copy (SRO copy) in respect of OS No.173 of 1989 on the file of the Additional District Munsif, Ramanathapuram and AS.No.73 of 1998 on the file of the Principal District Judge, Ramanathapuram.



ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.A.ARUMUGAM for M/s.AJMAL ASSOCIATES, Advocate for the petitioner and of Mr.J.KARTHIKEYAN, Advocate for R7 and Mr.V.RAMAKRISHNAN, Advocate for R18 and Mr.V.RAGHAVACHARI, Advocate for R10 to R14 and R21, Mr.NIRMALKUMAR, Advocate for R22 to 28, the court made the following order:-

This petition is filed to return the original sale deed dated 29.12.1981 (Ex.A1) to the petitioner after substituting the same by certified copy.

The learned counsel appearing for the petitioner submitted that before the trial Court in O.S.No.173 of 1989, sale deed dated 29.12.1981 was produced on the side of the petitioner / appellant, and the same was marked as Ex.A1. The sale deed was admitted by the defendants.

2. Now the petitioner has come out with the present petition to return the original sale deed Ex.A1 for family arrangements and also he filed certified copy of the sale deed dated 29.12.1981.

3. The learned counsel appearing for the respondents have no objection to return the document on condition not to encumber the property by way of depositing the title deeds or alienating the property.

4. Being satisfied with the reasons given by the petitioner and no objection by counsel for respondents, this petition is ordered directing the Registry to return the Ex.A1 on receiving the certified copy of the document from the petitioner and undertaking that they will not alienate or encumber the property and to produce it as and when required before this Court.

sd/-

14/11/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE PRINCIPAL DISTRICT JUDGE, RAMANATHAPURAM.

2 THE ADDITIONAL DISTRICT MUNSIF, RAMANATHAPURAM.

Copy to : The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.

ORDER IN

CMP(MD) No.10081 of 2016

IN

SA No.2147 of 2001

Date :14/11/2016

PBK/SKN/SAR-I 05/01/2017 ::2P-4C: