



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Eighteenth day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice R.MAHADEVAN

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CMP(MD) No.799 of 2016

IN

SA(MD) No.423 of 2014

1 M.NAWASKHAN
2 M.MUJEEPUR RAHMAN
3 N.MOHAMMED ALI JINNA
4 RAHAMATH ALI,

... PETITIONERS

Vs

1 SAPANIMOHAMMED ABU BAKKER
2 SABEER AHAMED
3 KATHIJA BEEVI,
4 SYED MOHAMMED
5 M.A.S.MARIYAM BEEVI,
6 M.A.S.AHAMMED MIDEEN
7 M.A.S PATHITHIMUTHU
8 D.S.M.O.RAIHANA
9 D.S.M.O.JEENATH
10 D.S.M.OKAJA UTHUMAN
11 D.S.M.O.MOHAMUTHA

... RESPONDENTS

Civil Miscellaneous Petition filed U/S 13 rule 8 of CPC praying that in the circumstances stated therein and in the affidavit filed therewith. The High Court will be pleased to direct the Registry to return the original of EX. B2 marked in OS No. 181 of 2010 on the file of Principal District Munsif Court, Tirunelveli , pending disposal of the above Second Appeal.

Prayer in SA(MD)No.423 of 2014:

Second Appeal filed U/S. 100 of CPC to preferred against the judgment and decree dated 30.09.2013 made in A.S.No. 41 of 2013 on the file of the Principal Sub Court, Tirunelveli, confirming the judgment and decree dated 18.01.2013 made in O.S.No.181 of 2010 on the file of the Principal District Munsif Court, Tirunelveli.

ORDER : This Miscellaneous petition coming on for orders on this day upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.R. Vijayakumar, Advocate for the petitioner and of Mr. H.Arumugam, Advocate for the 1 & 2 respondents, and this Court made the following order:



The Petitioners have come up with the present Miscellaneous petition seeking a direction to the Registry to return the original of Ex.B.2 marked in O.S.No.181 of 2010 on the file of Principal District Munsif Court, Tirunelveli pending disposal of the above second appeal.

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2. Heard the learned counsel for the petitioners and the learned counsel appearing for the first and second respondents.

3. Having been satisfied with the reasons assigned in the affidavit filed in support of the petition and also in view of the no objection endorsed by the learned counsel appearing for the first and second respondents, this petition is ordered as prayed for and the Registry is directed to return the original of Ex.B.2, which is nothing but a sale deed, marked in O.S.No. 181 of 2010, on the file of Principal District Munsif Court, Tirunelveli.

sd/-
18/02/2016

/ TRUE COPY /

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

TO

- 1 THE PRINCIPAL DISTRICT MUNSIF, TIRUNELVELI
- 2 THE SECTION OFFICER, V.R.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

Copy to: THE PRINCIPAL DISTRICT JUDGE, TIRUNELVELI

+1. C.C. to M/S. R.VIJAYAKUMAR Advocate SR.No.9631.

ORDER DATE : 18/02/2016

ORDER

CMP(MD) No.799 of 2016
IN
SA(MD) No.423 of 2014

Giving directions etc., as
stated within.