



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

Thursday, the Twenty Seventh day of September Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mrs Justice PUSHPA SATHYANARAYANA
and
The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMP(MD) No.495 of 2018

IN

AS(MD) No.1 of 2016

SARASWATHY AMMAL,

... PETITIONER/1ST RESPONDENT

Vs

1.A.NATESAN,
2.SANTHI,
3.SUNDARRAJAN,
4 GEETHA,

...1ST RESPONDENT/APELLANT

...RESPONDENTS/ RESPONDENTS NOS. 2 TO 4

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to return the original documents which was marked as Ex.B.16, B.17, B.18, B.21 and Ex.B.23 to B.35 filed in OS.No.8 of 2011 on the file of the Principal District Judge, Karur.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.T.LAJAPATHI ROY, Advocate for the petitioner and MR.K.PRABHAKAR, on behalf of the Respondents the court made the following order:-

[Order of the Court was made by PUSHPA SATHYANARAYANA,J.]

It is seen that the suit in O.S.No.71 of 2009 on the file of the Principal District Judge, Karur, filed by the first respondent/appellant, was dismissed and hence, he preferred the present appeal. Further, the suit in O.S.No.8 of 2011 filed by the petitioner/1st respondent was decreed in her favour.

2. Admitteldy, the suit properties are standing in the name of the petitioner/1st respondent. Now, she has filed this application to return the original documents, which are marked as Ex.B.16 to 19, B.21 and B.23 to 35 in O.S.No.8 of 2011.

3. The reason assigned by the petitioner in paragraph no.10 of the affidavilt filed in support of this petition is that she wants



to sell the suit properties to meet her family expenses and medical expenses.

4. The learned counsel appearing for the first respondent/appellant has no objection for returning the original documents as prayed for by the petitioner, as the same has been substituted by certified copy of the same.

5. Heard the submissions made on either side and perused the materials available on record.

6. As there is no objection, this petition is allowed. It is made clear that any alienation made pending appeal would be subject to *lis pendens*.

7. The Registry is directed to post the appeal in the first week of November, 2018.

sd/-
27/09/2018

/ TRUE COPY /

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

TO

THE PRINCIPAL DISTRICT JUDGE,
KARUR.

+1. C.C. to MR.T.LAJAPATHI ROY Advocate SR.No.18572

ORDER
IN
CMP(MD) No.495 of 2018
IN
AS(MD) No.1 of 2016
Date :27/09/2018

AE/MMS/SAR2/05.10.2018/2P/3C