



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

Friday, the Twenty First day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.12096 of 2018
IN
SA(MD) No.228 of 2008

1 GIBERT RAJ,
2 VAITHIANATHAN,
3 CELESTINE,
4 RUMALDHAS,
5 ROBERT SINGH,
6 IGNATIUS JOHN,
7 ARNOLD NAGAMONY,
8 WILFRED SAM JOSEPH,
9 KAMELIN,
10 BENETIC SINGH,
11 DENNISON,
12 WILFRED RAJ,
13 KERBERT SPENCER,

... PETITIONERS/RESPONDENTS 3 TO 15

Vs

1 MARK LOUIS,
2 JASMIN SUNDAR,
3 MARIA KANICKAM,

...1st RESPONDENT/APELLANT

... RESPONDENTS/2 & 3/RESPONDENTS 1 & 2

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to return the Original Partition Deed Ext.B7 dated 25-9-1125 ME after accepting the Certified Copy of the same document and render justice.

Prayer in SA(MD) . 228/ 2008 :

To reverse and set aside Judgment and Decree dated 21.02.2006 passed by the learned Subordinate Judge, Padmanabhapuram, in AS.154/2004 in confirming the Judgment and Decree of Additional District Munsif, Eraniel, dated 22.09.2004 in OS.225/1996 and thus render justice.

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.K.SREEKUMARAN NAIR, Advocate for the petitioner and of Mr.P.S.SUBRAMANIAN, Advocate for R1 and Mr.VM.BALAMOHAN THAMPI, Advocate for R2, the court made the following order:-



Heard the learned counsel appearing on either side.

2.On the side of the petitioners, it is stated that the petitioners want to get back the original Partition Deed which was marked as Ex.P.7 in the case. It is stated that the petitioners want to dispose of some property which is not subject matter of the suit.

3.The learned counsel appearing for the respondent has reported no objection.

4.Accordingly, this petition is allowed and the Registry is directed to return the original Partition Deed, Ex.P7 on acknowledgement and on condition that the same is to be replaced by certified copies and on undertaking that the original is to be returned as and when required by the Court.

sd/-
21/12/2018

/ TRUE COPY /

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

TO

1.THE SUBORDINATE JUDGE, PADMANABHAPURAM.

2.THE ADDITIONAL DISTRICT MUNSIF, ERANIEL.

+1cc to Mr.K.SREEKUMARAN NAIR, Advocate Sr.No.23809

PS/VR-MMS/SAR-2/21.12.2018/2P/4C

ORDER
IN
CMP(MD) No.12096 of 2018
IN
SA(MD) No.228 of 2008
Date :21/12/2018