

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the Twenty Seventh day of November Two Thousand

Nineteen

PRESENT

THE HON`BLE MR JUSTICE P. RAJAMANICKAM

CMP No.10367 of 2017

IN SA.175 of 1994

1 THANGAVEL [PETITIONER]

Vs

1 KANDASWAMY GOUNDER (DIED) [RESPONDENTS]

2 SHANMUGAM (DIED)

3 MARAKATHAM

4 MARAPPA GOUNDER (DIED)

5 DEVARAJ

6 AMMAVASAI AMMAL

7 THANGARASU

8 VISWANATHAN

9 SARADHAMAMANI

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to receive the certified copies of Ex.P.12, Ex.P.14, Ex.P.15, Ex.P.16 and to return the same Original documents or exhibits to the appellants in (in CMP.No.10637/2017) in SA.No.175/1994.

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.K.MAYILSAM, Advocate for the petitioner the court made the following order:-

This petition has been filed by the appellant under Order 13 Rule 8 of CPC to return the original documents viz., Exs.P12, 14, 15 and P16 by substituting the certified copies.

2. Today, the learned counsel for the petitioner/appellant has filed a memo stating that due to typographical error in the petition, it was wrongly mentioned as Exs.P12, P14, P15 and P16 instead of Exs.A12, A14, A15 and A16 and hence, the same has to be corrected in this petition.

3. Since the said mistake is only a typographical error, the memo is recorded. The Registry is directed to make necessary amendments in the petition.

4. According to the petitioner, the aforesaid documents were received by him from his father's brother Palani Gounder and filed before the trial court and now the said Palani Gounder is insisting to return the said documents and hence, he requests to return the said documents by substituting certified copies.

5. The respondents have not filed counter.

6. Considering the averments made in the affidavit that the petitioner has filed those documents after getting them from his father's brother Palani Gounder and the said Palani Gounder is now insisting to return the said documents, this court is inclined to allow this petition.

7. In the result, the petition is allowed. The Registry is directed to return Exs.A12, A14, A15 and A16 to the petitioner/appellant by substituting the certified copies. The petitioner shall produce the aforesaid documents as and when required by this court.

-sd/-

27/11/2019

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SUB JUDGE,
COIMBATORE

2 THE DISTRICT MUNSIF JUDGE
COIMBATORE

3 THE SECTION OFFICER, VR SECTION,
MADRAS HIGHCOURT, MADRAS

C.C. to M/S.K.MAYILSAMY Advocate on payment of necessary charges

Order
in
CMP.10367/2017
in
SA.175/1994

Date :27/11/2019

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format

SM/12/12/2019

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