



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

Friday, the Fourth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMP (MD) No.1410 of 2018
IN
SA No.658 of 1999

1 DHARMAR PILLAI
2 SUNDARAM PILLAI
3 SHANMUGAVEL ANNAVI
4 PALANISAMY
5 GURUSAMY PILLAI (DIED)
6 PETCHIMUTHU PILLAI
7 BALU PILLAI
8 RAKKA PILLAI
9 MARIYAPPAN
10 RAJAVEL
11 MANOHARAN
12 SHANTHI
13 SUDHA
14 CHITRA
15 B.ANANDHAM
16 R.PALANIAMMAL
17 B.RADHAKRISHNAN
18 JOTHESWARI
19 B.GOPALAKRISHNAN
20 K.KOWSALYA
21 B.MUTHUKUMAR

... PETITIONERS/RESPONDENTS

Vs

1 SANJEEVI PILLAI (DIED)
2 RAKKAPPAN (DIED)
3 MUTHIAH
4 NARAYANAN
5 KRISHNAN
6 VELUSAMY
7 KRISHNAPILLAI (DIED)
8 ANNALAKSHMI
9 CHANDRA DEVI
10 RAJAPALAYAM MUNICIPALITY
REY BY ITS COMMISSIONER, RAJAPALAYAM.
11 RAGHAVAN
12 ARUNACHALAM
13 KANDAMMAL



14 UMA
15 SENTHIL
16 RAKKAMMAL
17 MARIYAMMAL
18 GOVINDAMMAL

... RESPONDENTS/APELLANTS

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Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue a direction to return the document marked as EX.A11(Sale deed) dated 06.07.1964 by substituting it with certified copy of the same and thus render justice.

Prayer in SA. 658/ 1999 :

To present this memo of second appeal against the judgement and decree dated 08/02/1999 and made in AS No.80/1998 on the file of the Sub-Court, Srivilliputhur, reversing the judgement and decree dated 21/10/1998 and made in OS No.116/1995 on the file of the Addl. District Munsif Court, Srivilliputhur

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.A.SIVAJI, Advocate for the petitioner and of Mr.S.KADARKARAI, Advocate for the R1 to R9 and R11 to 18, the court made the following order:-

This petition has been filed to return the document marked as Ex.A11 (sale deed) dated 06.07.1964 by substituting it with certified copy of the same.

2.The learned counsel for the petitioners submitted that the petitioners want to get back the original sale deed which was marked as Ex.A11 in the case, for the purpose of obtaining loan from the Bank. Only if the original is submitted loan application will be processed and loan will be sanctioned.

3.The learned counsel appearing for the respondents have no strong objection in allowing this petition.

4.Accordingly, this petition is allowed and the Registry is directed to return the original sale deed, Ex.A11 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/-
04/01/2019

/ TRUE COPY /



TO

1. THE SUBORDINATE JUDGE, SRIVILLIPUTHUR

2. THE ADDITIONAL DISTRICT MUNSIF, SRIVILLIPUTHUR

COPY TO:

THE SECTION OFFICER, JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to Mr.A.SIVAJI Advocate SR.No.403

ORDER

IN

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IN

SA No.658 of 1999

Date :04/01/2019

TK/VR/SAR-1/25.01.2019/3P/5C