

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

Friday, the Twenty Sixth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.3248 of 2019
IN
SA(MD) No.619 of 2015

S.PERIYASAMY PETITIONER/ 1st RESPONDENT

Vs

1 S.MARIAMMAL 1st RESPONDENT/ APPELLANT

2 P.PRABAVATHI

3 R.PANEERSELVAM ... RESPONDENTS 2 & 3/ RESPONDENTS 2 & 3
(As no relief is claimed against respondents 2 & 3 and as the said respondents are impleaded only as formal parties, notice to respondents 2 & 3 is given up)

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to return the Ex.A1 original sale deed dated 21.09.1971 (Doc.No.1403/1971) registered before Sub-Registrar, Thiruverumpur, to me after substituting the same by certified copy (SRO Copy) and thus render justice.

Prayer in SA(MD). 619/ 2015 :

To set aside the judgment and decree dated 26/11/2014 made in AS NO. 51 of 2011 on the file of the Court of the Principal Subordinate Judge, Tiruchirappalli, reversing the judgment and decree dated 29/11/2010 made in OS NO. 308 of 1999 on the file of the First Additional District Munsif Court, Tiruchirappalli.

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.ARUMUGAM, Advocate for M/S.AJMAL ASSOCIATES, Advocate for the petitioner and of M/S.J.MARIA ROSELINE, Advocate for R1, the court made the following order:-

This matter is posted today under the caption 'for being mentioned' at the instance of the learned counsel appearing for the petitioner.

2. When the matter came up for hearing on 25.04.2019, as the certified copy and the original document of the certified copy did not tally, this petition was dismissed by this Court.

3. Today, the learned counsel for the petitioner would seek for the return of the certified copy of the original sale deed, dated 21.09.1971 Ex.A1 (Doc.No.1403/1971) to get the corrected copy.

4. Considering the said submission made on the side of the petitioner, the Registry is directed to return the certified copy of the sale deed dated 21.09.1971 (Doc.No.1403/1971), which is filed along with the typedset of papers, to the petitioner, after substituting the same by taking a photocopy.

sd/-
26/04/2019

/ TRUE COPY /

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

TO

1 THE PRINCIPAL SUBORDINATE JUDGE,
TIRUCHIRAPPALLI.

2 THE FIRST ADDITIONAL DISTRICT MUNSIF,
TIRUCHIRAPPALLI.

COPY TO:

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

+1. C.C. to M/S.AJMAL ASSOCIATES Advocate SR.No.7314

ORDER
IN
CMP (MD) No.3248 of 2019
IN
SA (MD) No.619 of 2015
Date :26/04/2019

MS/PN/SAR-2/29.04.2019/2P.5C

WEB COPY