



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

Monday, the Twenty Sixth day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice K.RAVICHANDRABAABU
and
The Hon`ble Mr.Justice SENTHILKUMAR RAMAMOORTHY

CMP(MD) No.7656 of 2019

IN

AS(MD) No.111 of 2012

1 K.SUNDERESAN

2 MINOR.S.RENUKA

3 S.NISHANTHI

4 MINOR.S.KARHIKEYAN ... PETITIONERS/ PETITIONERS
REP.BY THEIR FATHER/ NATURAL GUARDIAN
K.SUNDERESAN

Vs

1 G.SARASVATHY

2 K.RAJARETHINAM ... RESPONDENTS/ RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Permit the petitioners/ Appellants in the above appeal to get the return of the Documents EX.A5 and EX.A7 marked in O.S. No.56 of 2010 on the file of the Learned First Additional District Sessions Judge (PCR), Trichy by replacing the same with the xerox copies of the said Documents.

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.R.BASKARAN, Advocate for the petitioners and of M/s.S.SRIMATHY, Advocate on behalf of the Respondents, the court made the following order:-

(Order of the Court was made by **SENTHILKUMAR RAMAMOORTHY, J.**)

1. This Miscellaneous Petition is filed to permit the Petitioners/ Appellants in A.S(MD).No.111 of 2012 to get the return of the documents marked as Ex.A5 & Ex.A7 in O.S.No.56 of 2010 on the file of the learned First Additional District Sessions Judge (PCR),

<https://hcservices.ecourts.gov.in/hcservices/>



Trichirappalli, by replacing the same with the xerox copies of the said documents.

2. We heard the learned counsel for the Petitioners and learned counsel for the Respondents.

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3. The Petitioners seek permission to obtain the return of the original Will dated 27.12.1975 executed by Neelamegam Pillai and registered as Doc No.168/1975 before the District Registrar, Tiruchi, which was marked as Ex.A5 in O.S.No.56 of 2010 and the Will dated 15.09.2000 executed by M.Krishnasamy and registered as Doc No.113/2000 before the Sub Registrar, Woraiyur, which is marked as Exhibit A7 in O.S.No.56 of 2010. . The learned counsel for the Revision Petitioner submits that the said originals would be replaced with certified copies of the said documents, if the petition is allowed. The learned counsel for the Respondents has no objection to this petition. We are informed that the original records have been transferred to this Court.

4. On considering the facts and circumstances, we allow the petition on the following terms and conditions;

(a) Upon submission of certified copies of the following documents, the originals shall be returned to the petitioner;

(b) Will dated 27.12.2015 of Neelamegam Pillai, which is registered as Doc.No.168 of 1975 before the District Registrar, Tiruchi and marked as Ex.A5 in O.S.No.56 of 2010;

(c) Will dated 15.09.2000 of M.Krishnasamy, which is registered as Doc.No.113/2000 before the Sub-Registrar, Woraiyur and marked as Exh.A7 in O.S.No.56 of 2010; and

(d) The return of the above original documents is subject to the condition that such originals shall be produced in court whenever required for purposes of A.S.(MD) No.111 of 2012.

sd/-

26/08/2019

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



CMP(MD) No.7656 of 2019

TO
THE FIRST ADDITIONAL DISTRICT SESSIONS JUDGE (PCR),
TRICHY

+1..C.C. to M/S.R.BASKARAN Advocate SR.No.83517

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ORDER

IN

CMP(MD) No.7656 of 2019

IN

AS(MD) No.111 of 2012

Date :26/08/2019

MS/VR/SAR-3/28.08.2019/3P.3C