



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

Tuesday, the Twenty Eighth day of September Two Thousand and Twenty
One
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CMP(MD) No.9152 of 2019
IN
AS(MD) No.155 of 2016

ARUMUGAM

... PETITIONER/ 3rd RESPONDENT

Vs

1 VIJAYA ALIAS VALLIAMMAL ... 1st RESPONDENT / APPELLANT
2 ARUNACHALAM
3 GANESH SENTHILKUMAR ... RESPONDENTS 2 & 3 / RESPONDENTS 1 & 2
4 ANTHONY AROKIYA MARY
5 MARIA JOSEPH
6 RAMAUJAM AMMAL ... RESPONDENTS 4 TO 6/ RESPONDENTS 4 TO 6

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to return the document marked as Exhibit B- 38 dated 20.04.1988 in the common Judgement made in O.S. NO. 41 of 2012 on the file of the Principal District Court, Tirunelvlei more fully described in this petiton to the petitioner/ 3rd Respondent.

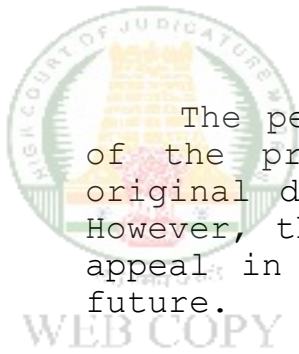
S.No	Date	Particulars
1	20.04.1988	Original Sale Deed executed by Murugesan Chettiar in favour of Arunachalam (Petitioner) - Ex.B-38.

PRAYER IN AS(MD) No.155 of 2016:

To allow this appeal suit by setting aside the judgement and decree in dated 22.02.2016 in O.S. NO. 41 of 2012 on the file of the Principal District Court, Tirunelvlei and decree the suit as prayed for and pass such further orders and render justice.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.S.P.MAHARAJAN, Advocate for the petitioner, the court made the following order:-

The third respondent in A.S.(MD)No.155 of 2016 wants this court to return Ex.B.38 that was marked by him.



The petitioner herein wants to make some settlement in respect of the property in question and that is why, he requires the original document. There cannot be any objection to his request. However, the petitioner is directed to mention the pendency of this appeal in any transaction, in which, he may be entering into in future.

Any action taken by the petitioner based on Ex.B.38 would be subject to the outcome of this appeal.

with this direction, this petition is allowed.

sd/-
28/09/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE PRINCIPAL DISTRICT COURT,
TIRUNELVLEI.

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

+1 CC to Mr.S.P.MAHARAJAN, Advocate (SR-6675[I] dated 29/09/2021)

ORDER
IN
CMP(MD) No.9152 of 2019
IN
AS(MD) No.155 of 2016
Date :28/09/2021

MK/PN/SAR.II/30.09.2021/2P/4C