



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

Friday, the Eighteenth day of March Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CMP(MD) No.8952 of 2021
in
SA(MD)No.54 of 2004

H.RAMA
THROUGH HER POWER OF ATTORNEY AGENT
KALYANA SUNDARAM

... PETITIONER/RESPONDENT

Vs

RAMALAKSHI

... RESPONDENT/APPELLANT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to return the original document marked as Ex.A2 (sale deed dated 24.07.1989 executed by Venkatasubramanian in favour of plaintiff) in Os No.457 of 1999 on the file of Principal District Munsif Court, Tirunelveli by substituting the Sub Registration Office copy of the same for the present.

PRAYER IN SA(MD)No.54 of 2004:

Pleased to present this Memorandum of Second Appeal against the Judgment and Decree passed in A.S.No. 53/2003 dated 25.03.2004 on the file of the I Additional Subordinate Judge, Tirunelveli confirming the Judgment and Decree passed in O.S.No.457/99 dated 21.04.2003 on the file of the Principal District Munsif Court, Tirunelveli.

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.R.T.ARIVUKUMAR, Advocate for the petitioner and of MR.M.P.SENTHIL, Advocate on behalf of the Respondent, the court made the following order:-

This Civil Miscellaneous Petition has been filed praying to return the document viz., Ex.A2(sale deed dated 24.07.1989, executed by one Venkatasubramanian in favour of the plaintiff) marked in O.S.No.457 of 1999 on the file of the Principal District Munsif Court, Tirunelveli by substituting the certified copy of the said document, issued by the Joint Sub Registrar - I, Palayamkottai.



2.The learned Counsel for the petitioner submits that the petitioner/plaintiff in the suit in O.S.No.457 of 1999 on the file of the Principal District Munsif Court, Tirunelveli produced and marked the sale deed dated 24.07.1989 as Ex.A2. The trial Court decreed the suit as prayed for and the appeal filed by the respondent was also dismissed. This second appeal is filed as against the same. Now the petitioner/plaintiff is in need of the said original document Ex.A2 and therefore, prays for appropriate orders.

3.Mr.M.P.Senthil, learned Counsel for the respondent/appellant has no serious objection in allowing this petition as prayed for.

4.In view of the above, this civil miscellaneous petition is allowed. Registry shall return the document in Ex.A2, dated 24.07.1989 as requested, by replacing the same with the certified copy filed by the petitioner.

List the main second appeal on 11.04.2022.

sd/-

18/03/2022

/ TRUE COPY /

/ /2022

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

TO

1 THE I ADDITIONAL SUBORDINATE JUDGE,
TIRUNELVELI.

2 THE PRINCIPAL DISTRICT MUNSIF,
TIRUNELVELI.

COPY TO
THE SECTION OFFICER,
VR SECTION
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. (SOFT COPY)

+1 CC to M/s.M.SENGU VIJAY, Advocate (SR-2238[I] dated 21/03/2022)

ORDER

IN

CMP(MD) No.8952 of 2021 in
SA(MD)No. 54 of 2004

Date :18/03/2022