



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

Friday, the Eighteenth day of February Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN
and
The Hon`ble Mr.Justice N.SATHISH KUMAR

CMP(MD) No.3911 of 2021
IN
AS(MD) No.201 of 2019

ARIVUNITHI

... PETITIONER/4th RESPONDENT

Vs

1 THIRUMURUGAN ... 1st RESPONDENT/APPELLANT
2 RAJAMANI
3 BALASUBRAMANIAN
4 PAULMANI ... RESPONDENT 2 to 4/RESPONDENTS 1 to 3

**RESPONDENTS 3 AND 4 REP. THROUGH
THEIR POWER AGENT MANIVANNAN**

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to accept the certified copies of Exhibits B-9 to B-21 (filed in OS No.119 of 2015, on the file of 1st Additional District and Sessions Court (PCR), Thanjavur) and return the original Exhibits B-9 to B-21 from the records of office of this Honourable Court pending disposal of the above appeal.

Prayer in AS(MD). 201/ 2019 :

To set aside the Judgment and Decree dated 07.09.2019 made in O.S.No.119 of 2015 on the file of 1st Additional District and Sessions Court (PCR), Thanjavur, in so far against the appellant are concerned, by allowing the First Appeal.

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 M/S.S.VELLAICHAMY, Advocate for the petitioner and of Mr.JORGE RAJA, Advocate for the 1st Respondent and Mr.P.VADIVEL, Advocate for the 2nd Respondent, the court made the following order:-

(Order of the Court was made by **R.SUBRAMANIAN., J**)

The petitioner seeks return of the original of Exhibits B.9 to

B.21.

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



2. The purpose for which the return is sought for production of the same in another suit, we do not think the said purpose is bonafide. The fact that the documents have been produced and marked in a legal proceedings is sufficient ground for permitting the petitioner to produce secondary evidence in the other suit.

3. In view of the same, this petition is dismissed. It is made clear that the petitioner can produce certified copies of these documents in the trial Court during the trial in the other suit.

sd/-

18/02/2022

/ TRUE COPY /

/ /2022

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

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

THE I ADDITIONAL DISTRICT AND SESSIONS JUDGE (PCR),
THANJAVUR.

+1. C.C. to M/S.M.V.VENKATASESHSAN, Advocate SR.No.1343

ORDER

IN

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IN

AS (MD) No.201 of 2019

Date :18/02/2022

SA/PN/SAR.3/23.02.2022/2P/3C