



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

Friday, the Twenty Fifth day of February Two Thousand and
Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice R. VIJAYAKUMAR

CMP(MD) No.9808 of 2021
IN
SA(MD) No.25 of 2021

1 CHANDRAN
2 POOVAYIAMMAL

... PETITIONER/APELLANTS

Vs

K.KAILASAM

... RESPONDENT/RESPONDENT/

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 sale deed dated 04-03-1994 (Ex.A5) to the petitioner after substituting the same by certified copy issued by this Honorable Court.

Prayer in SA(MD). 25/ 2021 :

To set aside the Judgment and Decree dated 22-10-2019 made in A.S.No.48 of 2014 on the file of the 2nd Additional Sub Court, Tiruchirappalli, confirming the judgement and decree dated 09-12-2013 made in O.S.No.1149 of 2007 on the file of 1st Additional District Munsif Court, Tiruchirappalli, and decree the suit with costs.

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.A.ARUMUGAM, Advocate for M/S.AJMAL ASSOCIATES, for the petitioner and of Mr.K.S.KATHIRAVAN, Advocate on behalf of the Respondent, the court made the following order:-

The present application has been filed by the appellants seeking permission of the Court to return Exhibit A5 document which relates to the fifth item of the suit schedule properties.

2.According to the learned Counsel for the petitioners/appellants, already decree has been granted with regard

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to fifth item which has not been challenged in the first appeal. The learned Counsel for the petitioners/appellants has also produced the certified copy of Exhibit A5-sale deed, dated 04.03.1994.

3. Though this application was listed on 24.02.2022, the learned Counsel for the respondent has no objection for the same.

4. Registry is directed to return the original Exhibit A5 to the learned Counsel for the appellants after getting necessary endorsements and after replacing the same with the certified copies. The appellant is hereby put on notice that he will be called upon to produce Exhibit A5 as may be required by the Court.

5. Accordingly, this petition stands allowed.

sd/-
25/02/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE 2nd ADDITIONAL SUBORDINATE JUDGE,
TIRUCHIRAPPALLI.

2 THE 1st ADDITIONAL DISTRICT MUNSIF
TIRUCHIRAPPALLI.

COPY TO:

THE SECTION OFFICER
V.R.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. (**SOFT COPY**)

+1. C.C. to M/S.AJMAL ASSOCIATES Advocate SR.No.1551

ORDER

IN

CMP(MD) No.9808 of 2021

IN

SA(MD) No.25 of 2021

Date :25/02/2022

SA/PN/SAR.2/08.03.2022/2P/4C