



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

Friday, the Tenth day of June Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice N.SESHASAYEE

CMP(MD) No.11175 of 2021
in
SA(MD) No.154 of 2014

R.RADHA

... PETITIONER/2ND RESPONDENT

Vs

1 S.ARIYANDI

... 1ST RESPONDENT/APPELLANT

2 THE HEREDITARY TRUSTEE

ARULMIGU SUYAMPRAHASESWARAR THIRUKOIL,
ILUPPAKUDI, KARAUKUDI TALUK,
SIVAGANGAI DISTRICT.

... 2ND RESPONDENT/1ST RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to substitute and return the original documents marked as Exhibit B-7 dated 03-08-2009 with the certified copy obtained from the SRO in OS No.139 of 2010 on the file of Learned Additional District Munsif, karaikudi and more fully described in the petition.

PRAYER IN SA(MD) No.154 of 2014:

To set aside the judgment and decree passed in A.S.No.27/2012 dated 03.12.2021 on the file of the Sub Court, Devakottai confirming the judgment and decree passed in O.S.No.139/2010 dated 12.07.2012 on the file of the Additional District Munsif, Karaikudi and to decree the said suit filed by the appellants in lower appellate court as plaintiffs with costs by allowing this appeal with costs throughout.

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.MADHAVAN, Advocate for the petitioner and of Mr.Manikandan, Advocate for Mr.Sundar Srinivasan, Advocate on behalf of the Respondents the court made the following order:-

The second respondent in this appeal/the second defendant in the suit has moved this Civil Miscellaneous Petition for return of Ex.B.7.



2. Heard both sides.

3. This Court is given to understand that there is no dispute over the execution of Ex.B.7 and the nature of dispute falls beyond factum of execution of Ex.B.7. Hence, Ex.B.7 is directed to be returned, after if it is replaced with a certified copy of the same. The petitioner is also required to file a readable copy of the same document along with certified copy of it.

4. Post the main Second Appeal on **28.06.2022** for final hearing.

sd/-

10/06/2022

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

TO

1 THE ADDITIONAL DISTRICT MUNSIF, KARAIKUDI.

2 THE SUBORDINATE JUDGE, DEVAKOTTAI.

COPY TO

THE SECTION OFFICER, V.R. SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CMP(MD) No.11175 of 2021
in

SA(MD) No.154 of 2014

Date : 10/06/2022

RS/VR (16.06.2022) 2P-4C