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C.M.P. No. 1310 of 2023
in A.S.No. 55 of 2019

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T.V. THAMILSELVI, J.

This petition has been filed seeking to return Ex.B1, viz., Settlement deed dated 16.11.2021 marked in O.S.No.12/2017 on the file of Addl. District Judge, Perambalur to the petitioner by substituting the same with a certified copy.

2. Today, when the matter taken up for hearing, Mr.S.Kamadevan, learned counsel for petitioner would submit that while marking the documents in the civil proceedings, normally a certified copy or the copy of the same will be verified with the original and after verification, necessary documents will be marked through the witnesses, which is sufficient. However, in the instant case, the original registered settlement deed dated 16.11.2011 is not seriously disputed by the plaintiffs. Hence, the petitioner is in need of original settlement deed, which is marked as Ex.B1 on behalf of him and the same is also required for raising loan and other purpose. Hence, he filed the present petition praying to return the document.



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3. Considering the above facts and circumstances and also considering the fact that the subject in issue is with regard to Ex.B1 Settlement deed. If any encumbrance is made over the same, it will lead to multiplicity of proceedings. Hence, this court is not inclined to return the settlement deed Ex.B1 to the petitioner. Accordingly, this Civil Miscellaneous Petition is dismissed.

28.04.2023

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