



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

Monday, the Nineteenth day of June Two Thousand and Twenty Three
PRESENT

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The Hon`ble Mr.Justice P.VELMURUGAN

CMP (MD) No.4940 of 2022
in
SA.No.1517 of 2004

VELLYA GOUNDER (DIED)

... 7th RESPONDENT in SA

1 CHELLAMMAL

2 RAJASEKARAN

3 DURAIRAJ

4 SHANTHI

5 SELVARAJ

6 CHELLADURAI

... PETITIONERS/RESPONDENTS 9 TO 14
Vs

1 R.HARIHARAN

2 N.JAYALAKSHMI

3 JAYARAM

4 VIJAYA

5 PREMA

6 V.MUTHULAKSHMI

7 RADHAKRISHNAN

8 RAJESWARI

9 MANOHARAN

10 KALARANI

11 JAYANTHI

12 LEELAVATHY

... RESPONDENTS 1 - 12/APPELLANTS

(RESPONDENT 3 TO 5 ARE REPRESENTED BY
POWER OF ATTORNEY HOLDER 2ND RESPONDENT
JAYALAKSHMI)



13 JAGANATHAN

14 DHANAPALRAJA

15 NAGAMMAL

16 RAJAMMAL

17 BALAKRISHNAN

18 VEMBADIYAN @ KUMARASAMY MUTHURAJA

19 PARIMALA ... RESPONDENTS 13-19/RESPONDENTS 1-6, 8

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 Ex.B5 dated 08-10-1984 to the petitioners in the above appeal.

Prayer in SA. 1517/ 2004 :

To prefer this Memorandum of Grounds of Second Appeal against the Judgement and Decree made in A.S.No.109 of 2000 on the file of I Addl.Sub Judge, Tiruchirapalli dated 28.2.2003 against the Judgement and Decree of the Learned District Munsif, Thuraiyur in O.S.No.430 of 1996 dated 21.1.2000.

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.R.DEVARAJ, Advocate for the petitioners, the Court made the following order:-

This application has been filed to return the original document Ex.B5 dated 08.10.1984 to the petitioners in the above appeal.

2. The Registry has received the original documents from the trial Court for verification of the same at the time of arguments in the second appeal. This appeal is pending from 2004 due to the non-co-operation of the appellants. Therefore, this Court is not inclined to return the original document and this Court is ready to take up the appeal for final hearing itself, provided the parties are co-operate.

3. In view of the above reasons, this application is dismissed.
sd/-

19/06/2023

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/06/2023

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



WEB COPY

1 THE DISTRICT MUNSIF,
THURAIYUR.

2 THE I ADDITIONAL SUBORDINATE JUDGE, TRICHY.

COPY TO :

1 THE SUB ASSISTANT REGISTRAR,
AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

2 THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP (MD) No.4940 of 2022
in
SA.No.1517 of 2004
Date :19/06/2023

SS/CG/26/06/2023/3P/5C