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C.M.P.No.17135 of 2024 in
S.A.No. 383 of 2007

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T.V. THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed praying to return the original sale deed which is marked as Ex.A1 in O.S.No.4067 of 1997 on the file of VI Asst. Judge, City Civil Court, Chennai.

2. Mr.D.Nellaiappan, learned counsel for petitioner submitted that he has filed this petition seeking to return the original sale deed of Ex.A1 produced on his side during the trial and now he is in need of original document in order to execute a partition deed among the family members and he has also gave undertaking to produce the original document as and when required. Furthermore, he agreed to file a certified copy of sale deed by replacing the original sale deed.

3. Today, when the matter taken up for hearing, there is no representation on the side of respondents. During the trial, on the side of plaintiff, to prove his title, he produced the sale deed dated 07.05.1962



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marked as Ex.A1. Now, he wanted the original document to divide the property and to execute the partition deed among the family members.

4. Considering the fact that the Second Appeal is of the year 2007 and also on considering the fact that the petitioner is aged about 62 years, senior citizen and the fact that he wanted to settle the property between family members amicably, Registry is directed to hand over the Ex.A1 original sale deed to the appellant on replacing the certified copy of sale deed within a period of one week from the date of receipt of copy of this order and to obtain an undertaking affidavit from the appellant agreeing to produce the same as and when required. Post the matter on 21.11.2024.

19.10.2024

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