



WEB COPY



A.No.4382 of 2024

A.No.4382 of 2024
in
C.S.No.195 of 2024

RMT.TEEKAA RAMAN, J.

This Application has been filed to direct the Respondent/Defendant, pending disposal of this Suit to deposit the Original of the documents listed in the annexure to the Judges summons with Registrar General of this Court.

2.The Sons of one Dr.P.Suresh Rao, viz., Ishaan Pejavar Rao and Nandan Pejavar Rao filed the present C.S.No.195 of 2024, seeking relief of deliver the original documents mentioned in the annexure to the Plaint. As per the Plaint document, the Defendant is the care taker of the grand mother viz., Mother of the Father and after her death he is in custody of the original document and created a fabricated Will and filed O.P.No.234 of 2022 and after caveat, it has been converted as TOS.No.9 of 2023 and for non payment of necessary court fee as required under Original Side rules, the same was dismissed on 29.07.2024.

3.Learned counsel for the Applicant draw my attention of the averment made in the OP, that he is having the custody of the original title. It is alleged in the Petition that taking advantage of the possession of the original title deeds, he is trying to encumber the property by entering into an agreement of sale with third parties and also go down to the level of getting



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legal certificate by suppressing the Plaintiffs, who are the sons of the deceased, resulted in filing of O.S.No.103 of 2024 before the Sub Court, Alandur and for injunction in O.S.No.565 of 2024 which is subsequently transferred to District Munsif Court, Sholinganallur. The same is pending.

4.Taking into consideration that the Defendant in the Suit, who is the Petitioner in OP, has specifically averred that he is having the custody of the original, the present Application is filed to deposit the original before the Registry of this Court.

5.Learned counsel for the Respondent/Defendant would submit that he has entered appearance only recently and seeks time.

6.It remains to be stated that there is a specific averment by the very same Petitioner in the OP and hence I find that for the purpose of limited prayer of directing the Defendant to deposit the original document, counter is not necessary, since already he has filed the affidavit in the OP before the very same Court and hence, this Application is ordered, with the direction to the Respondent to deposit the original document before the Registry.

sai

28.10.2024
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Dated: 28.10.2024
($\frac{1}{2}$)