



CMP.No.3529 of 2017 in CMA SR.No.648 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.05.2025

CORAM:

THE HONOURABLE **Mrs.JUSTICE R.KALAIMATHI**

CMP.No.3529 of 2017
in S.A.No.648 of 2011

1. Sivalingam
2.Chokkalingam
3.Ramakrishnan

... Petitioners / Appellants

vs.

Gunasekaran

... Respondent / Respondent

PRAYER: This Civil Miscellaneous Petition is filed under Order 41 Rule 27 r/w Section 151 of C.P.C.to receive the document namely, Gift Settlement Deed dated 16.09.2013 executed by Thalaiyan @ Vengan in favour of his son Sivalingam the first petitioner registered as Doc.No.2123/2003 before the Sub Registrar, Harur in support of their claim in the above second appeal.

For Petitioners : Mr.R.Balasubramanian

For Respondent : Mr.S.Saravanakumar

for M/s.I.Abrar Mohamed Abdulla

ORDER

An application has been taken out by the appellants/defendants herein



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under Order 41 Rule 27 of CPC to receive the Gift Settlement Deed dated

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R.KALAIMATHI, J.

kkd

16.09.2023 executed by Thalaiyan @ Vengan in favour of his son Sivalingam,
(1st appellant/1st defendant).

2. It is averred by the petitioners that the above said document was omitted to be produced by their counsel during the course of trial as well as before the Appellate Court.

3. On a careful perusal of written statement, the written statement has been filed in the month of March 2008 and there is no whisper in the written statement about the said Gift Settlement Deed.

4. In the given circumstances, this Civil Miscellaneous Petition is liable to be dismissed and thereby dismissed.

29.05.2025

kkd

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