



CMP(MD). No.19797 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 11/03/2026

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THE HONOURABLE MR. JUSTICE P.B.BALAJI

CMP(MD). No.19797 of 2025
in
SA(MD)No.293 of 2021

Ebanesar

... Petitioner

Vs.

1. Manoharan,

2. Suma Bai,

3. Latha Florence,

4. John Andreesan,

... Respondents

PRAYER :- To return the Original Documents marked as Ex-A-11 in the suit in O.S.No.293/2021 on the file of the Additional District Munsif Court, Kuzhithurai by substituting the certified copies obtained from this Court.

For Petitioner : Mr.H.Arumugam,
Advocate.

For Respondent : Mr.K.N.Thambi,
Advocate for R1



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ORDER

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This Civil Miscellaneous Petition is filed for return of the Original Documents marked as Ex-A-11 in the suit in O.S.No.293 of 2021 on the file of the Additional District Munsif Court, Kuzhithurai, by substituting the certified copies obtained from this Court

2. I have heard Mr.H.Arumugam, learned counsel for the petitioner and Mr.K.N.Thambi, learned counsel for the first respondent.

3. C.M.P.(MD)No.19797 of 2025 has been taken out by the respondent, successful plaintiff before the first appellate Court, which reversed the findings of the trial Court, for return of Ex.A11. Ex.A11 is the original of a sale deed executed by the petitioner herein, in favour of his wife. The said document was exhibited in evidence only to establish the plaintiff's claim that he is an agriculturist.

4. The property which is subject matter of Ex.A11 is not concerning the suit property. Hence, I do not see any serious prejudice being caused to the respondents by returning the original of Ex.A11. It is



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now stated that the the original sale is required for the purposes of meeting the son's medical expenses.

5. Though Mr. K.N.Thambi, learned counsel appearing for the first respondent objected to the application being allowed on the ground that pending the second appeal, the original cannot be returned without final adjudication, I do not see any serious prejudice being caused to the respondents. Admittedly, this document does not pertain to the property which is subject matter of the suit property and the property in Ex.A11 is not also concerning the appeal.

6. Hence, this Civil Miscellaneous Petition is ordered. As the appellant has already furnished certified copy of Ex.A11, the Registry shall return the original in Ex.A11 to the learned counsel for the petitioner within a week.

11.03.2026

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P.B.BALAJI,J

LS

Note: Issue order copy on 11.03.2026.

TO

1.The Subordinate Judge,
Kuzhithurai.

2.The I Additional District Munsif,
Kuzhithurai.

3.The Section Officer,
VR Section, Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CMP(MD) No.19797 of 2025
in
SA(MD)No.293 of 2021

Date : 11/03/2026