



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

Wednesday, the Thirtieth day of November Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

CMP(MD) No.11484 of 2016

IN

SA(MD) No.251 of 2014

VISALAKSHI AMMAL

... PETITIONER/RERSPONDENT

Vs

M.KANNAN

... RESPONDENT/APPELLANT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to vacate the interim stay granted on 27.2.2014 MP No.1 of 2014 SA No.251 of 2014 and pass such other order which are deemed fit and necessary in the nature and circumstance of the case and thus render justice.

Prayer in SA(MD). 251/ 2014 :

To allow this Second Appeal by setting aside the judgment and decree made in AS.No.28/2012 dated 18.12.2013 on the file of the II Additional District Judge, Tiruchirappalli confirming the final decree and the judgment made in IA.No.719/1997 in OS.No.775/1997 dated 25.02.2013 on the file of the Principal District Munsiff Court, Thiruchirappalli and thus render justice.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.SHANGAR MURALI, Advocate for the petitioner and court made the following order:-

The learned counsel for the petitioner in CMP(MD)No.11482 of 2016 submitted that pursuant to the final decree that was passed by the trial court, he took delivery of the property. It is only by virtue of the interim order that was passed in the MP(MD)No.1 of 2014, his possession is sought to be disturbed. He also submitted that there was no challenge to the preliminary decree by any one. Taking into account the submission that the petitioner is allotted to her in the final decree proceedings, interim stay already granted on 27.02.2014 in MP(MD)No.1 of 2014 is vacated.



Registry is directed to post the main appeal for final hearing after two weeks.

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sd/-
30/11/2016

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

TO

- 1 THE II ADDITIONAL DISTRICT JUDGE, TRICHIRAPPALLI
- 2 THE PRINCIPAL DISTRICT MUNSIF, TRICHIRAPPALLI

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai.

+1. C.C. to M/S.SHANGAR MURALI Advocate SR.No.74809

ORDER
IN
CMP (MD) No.11484 of 2016
IN
SA (MD) No.251 of 2014
Date :30/11/2016

gsr
SH/KM/SAR-2:08.12.2016:2P/5C