

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Civil Appellate Jurisdiction )

Monday, the Thirteenth day of February Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE M.M.SUNDRESH

CMP No.2250 & 2404 of 2017

IN SA.112/2017

KANAKARAJ  
]

[PETITIONER IN BOTH THE PETITIONS

Vs

CHINNAMMAL (DECEASED)

[RESPONDENTS IN BOTH THE PETITIONS]

1.RUKMANI,

2 SUBRAMANIAM

3 THE TAMIL NADU ELECTRICITY  
BOARD, REP BY ITS SUPERINTENDING  
ENGINEER, TIRUPPUR ROAD, UDUMALPET.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

i) Grant INTERIM STAY of the judgment and decree of the Sub Court, Udumalpet made in A.S NO.06/2015 dated 20/10/2016 reversing the Judgement and decree of the District Munsif Court, Udumalpet made in OS No. 281/2004 dated 21/03/2015 in (CMP NO.2250/17 in SA NO.112/2017)and;

ii) To grant INTERIM INJUNCTION restraining the respondent/defendants from taking any further steps pursuant to the judgment and decree of the Sub Court, Udumalpet, made in AS No. 6/2015 dated 20/10/2016 reversing the judgment and decree of the District Munsif Court, Udumalpet made in OS No. 281/2004 dated 27/03/2015 with regard to the schedule mentioned property in (CMP NO.2404/17 in SA NO.112/2017)respectively.

Order : These petitions coming on for orders upon perusing the petition and the affidavits filed in support thereof and upon hearing the arguments of M/S.SILAMBANAN Senior Counsil for M/S.KAAVYASILAMBANAN ASSOCIATE, Advocate for the petitioner in both the petitions and of M/S. C.VEERARAGHAVAN Advocate for 2nd Respondents in both the petitions the court made the following order:-

Heard the learned senior counsel appearing for the petitioner. Mr.C.Veera Raghavan, learned counsel takes notice for the second respondent.

2. Seeking interim stay and interim injunction, these petitions have been filed.

3. The suit itself has been filed by the appellant. The question of granting interim stay does not arise as it would amount to allowing the second appeal itself. Similarly, as the suit has been filed for possession, the question of granting interim injunction also does not arise.

4. In such view of the matter, both the miscellaneous petitions stand dismissed.

-sd/-  
13/02/2017

/ TRUE COPY /

Sub-Assistant Registrar ( Statistics / C.S. )  
High Court, Madras - 600 104.

TO

1 THE SUBORDINATE JUDGE  
UDUMALPET

2 THE DISTRICT MUNSIF  
UDUMALPET.

C.C. to M/S.KAAVYASILAMBANAN ASSOCIATE Advocate on payment of necessary charges

The Government Advocate, High Court, Madras - 104.

Order

in  
CMP.2250 & 2404/2017

in  
SA.112/2017

Date :13/02/2017

From 26.2.2001 the Registry is issuing certified  
copies of the Interim Orders in this format  
ADD 21.02.2017