



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

Thursday, the Fourteenth day of December Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr Justice S.BASKARAN

CMP(MD) No.10963 of 2017

IN

SA No.2055 of 2002

1 PACHAYEE

2 MUTHULAKSHMI

...PETITIONERS/RESPONDENTS 1,2

Vs

1 THENAMMAL

2 KATHIRESAN PILLAI

...1st RESPONDENT / APPELLANT

...2nd RESPONDENT/3rd RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant an order of Injunction restraining the 1st respondent/appellant, her men or agents or anyone acting upon her from putting up any illegal construction in the suit schedule property, which is the subject matter of O.S.No.318 of 1998 on the file of Additional District Munsif Court, Tuticorin, pending disposal of the above Second Appeal.(The xerox copy of the Schedule of Property is herewith attached)

PRAYER IN SA No.2055 of 2002:

to set aside the decree and judgment dated 01.07.2002 rendered in A.S.No.39 of 2001 on the file of the Subordinate Judge at Tuticorin reversing the decree and judgment dated 28.06.2001 rendered in O.S.No.318 of 1998 on the file of the Additional District Munsif of Tuticorin, by allowing this Second Appeal.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.M.R.SREENIVASAN, Advocate for the petitioners and of Mr.SATHAN BOOPATHI, Advocate for D.SATHYA SRI, Advocate, for

the Respondents and the court made the following order:-

The petitioners are permitted to carry out the repair work alone without altering the structure of the building. Status-quo as on date should be maintained in that regard until further orders.

Post the appeal on the first week of January 2018.

sd/-

14/12/2017

/ TRUE COPY /

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

TO

1 THE SUBORDINATE JUDGE
TUTICORIN

2 THE ADDITIONAL DISTRICT MUNSIF
TUTICORIN

+1cc to Mr.R.Nandakumar, Advocate, Sr.No.36375 & 36352

Copy to:

THE SECTION OFFICER
V.R.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER
IN
CMP (MD) No.10963 of 2017
IN
SA No.2055 of 2002
Date :14/12/2017

cp
SH/PM-PN/SAR-4:15.12.2017:2p/6c