



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

Wednesday, the Twenty Second day of February Two Thousand Seventeen

PRESENT

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The Hon`ble Mr.Justice M.DURAISWAMY

CMP(MD) No.1499 of 2017
IN
SA(MD) No.687 of 2014

RAMASAMY

... PETITIONER/1st RESPONDENT/
1st RESPONDENT

Vs

1 MARIAMMAL

... 1st RESPONDENT/PETITIONER/
APPELLANT

2 MUTHU

3 THE PRESIDENT, PANCHAYAT BOARD,
KALAPPAKULAM PANCHAYAT,
SANKARANKOVIL TALUK,
TIRUNELVELI DISTRICT.

... RESPONDENTS 2 & 3 /
RESPONDENTS 2 & 3/
RESPONDENTS 2 & 3

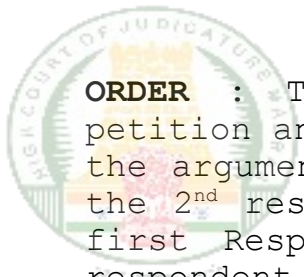
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to vacate the order of interim stay granted on 19/09/2014 made in MP (MD).No.1 of 2014 in SA(MD).No.687 of 2014.

Prayer in SA(MD).687/2014 :

To allow the appeal by setting aside the judgment and decree passed in AS.No.14/2012 and Counter Claim, on the file of the Sub Court, Sankarankovil, dated 11.02.2014 confirming the judgment and decree passed in OS.No.125/2010 and Counter claim, on the file of the Additional District Munsif Court, Sankarankovil, dated 19.12.2011.

Prayer in MP(MD).1/2014 in SA(MD).687/2014 :

To stay the operation of the judgment and decree passed in AS.No.14/2012 on the file of the Sub Court, Sankarankoil dated 11.02.2014 and confirming the judgment and decree passed in OS.No.125/2010 on the file of the Additional District Munsif Court, Sankarankoil dated 19.12.2011 pending disposal of this SA.(MD).No.687/2014.



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.R.VIJAYAKUMAR, Advocate for the petitioner and the 2nd respondent and of MR.S.MEENAKSHI SUNDARAM, Advocate for the first Respondent and of MR.K.MARIYAPPAN, Advocate for the third respondent, the Court made the following order:-

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Since there is a decree for recovery of possession, I do not find any reason to vacate the interim stay granted on 19.09.2014. In these circumstances, vacate stay petition in CMP(MD)No.1499 of 2017 is dismissed.

The Registry is directed to post the second appeal under the caption 'Notice of Motion' on 13.03.2017.

sd/-

22/02/2017

/ TRUE COPY /

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

TO

1 THE ADDITIONAL DISTRICT MUNSIF, SANKARANKOIL.

2 THE SUBORDINATE JUDGE, SANKARANKOIL.

ORDER IN
CMP(MD) No.1499 of 2017
IN SA(MD) No.687 of 2014
Date :22/02/2017

ms-pn/sar-1/27.02.17/p2/3c