



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

Thursday, the Twenty Second day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice C.V.KARTHIKEYAN

CMP(MD) No.1201 of 2016

IN

AS(MD) No.18 of 2016

MUTHUMARY @ AROKIAMARY

... PETITIONER/APPELLANT

Vs

1 AROKIAMARY
2 MARIYAMUTHU
3 JESURAJ
4 LEELA @ LEELA ROSALINE
5 SAGAYAMARY
6 DHAINESMARY
7 JOHNPETER

8 THE SUB REGISTER
THANJAVUR OFFICE, SIVAGANGAI POONGA,
THANJAVUR.

9 THE DISTRICT COLLECTOR
PANAGAL BUILDING, THANJAVUR.

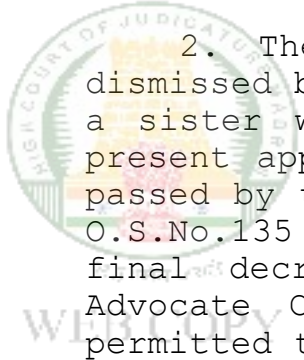
(RESPONDENTS 8 AND 9 ARE GIVEN UP
IN THE ABOVE APPEAL SUIT
AS NO RELIEF IS SOUGHT
FOR AS AGAINST THEM)

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay all further proceedings pursuant to the decree and judgment dated 22.07.2015 rendered in OS.No.135/2008 on the file of the II Additional District & Sessions Judge at Thanjavur, pending disposal of the above AS.(MD).No.18/2016 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. G.ARAVINTHAN, Advocate for the petitioner and of M/S.G.GOMATHI SANKAR, Advocate (Caveator) for R1, the court made the following order:-

Heard the learned counsel for the petitioner and the learned
<https://hcservices.ecourts.gov.in/hcservices/>
counsel for the first respondent. Counter has also been filed.



2. The appeal arises from a suit for partition which was dismissed by the Trial Court, holding that the present petitioner as a sister was not entitled to a share in the suit property. The present application has been filed to stay the Judgment and Decree passed by the II Additional District & Sessions Judge, Thanjavur in O.S.No.135 of 2008, dated 22.07.2015. It is also stated that the final decree application on file, receive counter and appoint Advocate Commissioner. The Advocate Commissioner is also to be permitted to inspect the suit property and file his report. However, the trial Judge shall not pass any order and proceed any further, pending disposal of appeal.

sd/-
22/06/2017

/ TRUE COPY /

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

TO

THE II ADDITIONAL DISTRICT
& SESSIONS JUDGE, THANJAVUR

ORDER
IN
CMP(MD) No.1201 of 2016
IN
AS(MD) No.18 of 2016
Date :22/06/2017

SMA/PM-PN/SAR-3/28.06.2017:2P/2C