



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

Tuesday, the Twenty Eighth day of November Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM
and
The Hon`ble Mrs.Justice V.BHAVANI SUBBAROYAN

CMP(MD) No.9384 of 2017
IN AS(MD) No.167 of 2017

MAHADEVAN

... PETITIONER/APPELLANT

Vs

MARUTHI

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an order of stay of all further proceedings in O.S.No. 94 of 2015 on the file of Additional District Judge, Fast Track Court, Kumbakonam, pending disposal of the above 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 M/S.N.RAHAMADULLAH, Advocate for the petitioner and the court made the following order:-

This Civil Miscellaneous petition has been filed seeking stay of all further proceedings in O.S.No.94 of 2015 on the file of the Additional District Judge, Fast Track Court, Kumbakonam, pending disposal of the above appeal.

2. Heard Mr.Rahamadullah, learned counsel for the petitioner. Despite service, none appears on behalf of the respondent and perused the records.

3. Mr.Rahamadullah, learned counsel for the petitioner submitted that the suit was filed for partition. In the suit, a Preliminary decree was passed and it is under challenge in the present appeal. It is further submitted that final decree application is pending.



4. In the light of the above submission, there shall be an order of interim stay of passing final decree alone and other proceedings can go on.

sd/-
28/11/2017

/ TRUE COPY /

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

TO

THE ADDITIONAL DISTRICT JUDGE,
FAST TRACK COURT, KUMBAKONAM

+1. C.C. to M/S.N.RAHAMADULLAH Advocate SR.No.35318

ORDER
IN
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Date :28/11/2017

SMA/RR/SAR-3/13.12.2017:2P/3C