



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

Thursday, the Sixth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN

CMP(MD) No.1406 of 2018

IN

AS(MD) No.28 of 2018

DEVARAJ

... PETITIONER/APELLANT

Vs

1 PARAMASIVAM

CHANDRAKASU (DIED) .

2 S. AKILAMBAL

3 KANAGAVALLI

4 C. VASANTHA

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Suspend the operation of Judgment and decree dated 29.06.2017 in O.S.No.26 of 2014 on the file of the 2nd Additional District and Sessions Judge, Thanjavur pending disposal of the above First Appeal.

Prayer in AS(MD). 28/ 2018 :

To set aside as against the Judgment and decree dated 29.06.2017 in O.S.No.26 of 2014 on the file of the 2nd Additional District and Sessions Judge, Thanjavur 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 MR.K.K.RAMAKRISHNAN, Advocate for the petitioners the court made the following order:-

The challenge in this Appeal is against the preliminary decree of partition.

The prayer in this petition is to suspend the operation of the judgment and decree in O.S.No. 26 of 2014.

<https://hcservices.ecourts.gov.in/hcservices/>
In my view, the proper prayer should be one for stay of all further proceedings in O.S.No. 26 of 2014, pursuant to the said judgment and decree, I am not inclined to suspend the judgment and



decree in OS.No. 26 of 2014.

Hence, the application stands dismissed, left it open to the petitioner to seek appropriate prayer.

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sd/-
06/12/2018

/ TRUE COPY /

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

TO

THE II ADDITIONAL DISTRICT AND
SESSIONS JUDGE, THANJAVUR

ORDER
IN
CMP (MD) No.1406 of 2018
IN
AS (MD) No.28 of 2018
Date :06/12/2018

MSI/JC/SAR-I/10.12.2018-2P/2C