



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

Wednesday, the Fifth day of September Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CMP (MD) No.7618 of 2018

IN

CMSA (MD) No.24 of 2018

B.DHANALAKSHMI

... PETITIONER/APELLANT

Vs

S.VADIVEL

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay the operation of Fair and decreetal order dated 18.07.2017 passed in C.M.A.No.10 / 2017 on the file Honourable Additional District and Sessions Judge, Karur by reversing the Judgment and decree dated 27.08.2015 in H.M.O.P.No.7 / 2013 on the file of Principal Subordinate Judge, Karur till the disposal of the C.M.S.A 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 Mrs. S.VIJAYASHANTHI, Advocate for the petitioner , While admitting the CMSA, the court made the following order:-

The appellant herein got married to the respondent on 02.09.2011. The respondent filed H.M.O.P.No.7 of 2013 before the Principal Sub Court, Karur seeking divorce on the ground of cruelty. The same was dismissed on 27.08.2015. Questioning the same, the respondent herein filed C.M.S.A.No.10 of 2017 before the Additional District Judge, Karur. The First Appellate Court allowed the appeal.

<https://hccservicescourts.com/hccservices/> Questioning the same, this CMSA has been filed. This Court admitted the said CMSA since substantial questions of law had arisen for



consideration.

2. If interim stay is not granted, CMSA will become infructuous. Therefore, the balance of convenience is in favour the petitioner. Hence, there shall be an order of interim stay. Notice.

sd/-
05/09/2018

/ TRUE COPY /

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

TO

1.THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
KARUR.

2.THE PRINCIPAL SUBORDINATE JUDGE,
KARUR.

+1. C.C. to Mr. S.VIJAYASHANTHI Advocate SR.No.16916

ORDER
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Date :05/09/2018

AE/JC/SAR4/04.10.2018/2P/4C