



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

Tuesday, the Tenth day of September Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP (MD) No.8131 of 2019  
IN  
SA (MD) No.810 of 2006

ARUMUGAM ASARI ... DEFENDANTS/RESPONDENTS/APPELLANTS

Vs

1 SUBBIAH ASARI

2 SAMIKANNU ASARI

3 SUNDARAM ASARI ... RESPONDENTS / APPELLANTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to fix an early date for hearing of the second appeal in SA (MD) No.810 of 2006.

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.P.JESSI JEEVA PRIYA, Advocate for the petitioner made the following order:-

Heard.

This petition has been filed by the petitioner seeking to fix an early date in S.A (MD) No.810 of 2006.

2. According to the petitioner, he filed O.S.No.308 of 1996 before the Trial Court for the reliefs of permanent injunction, mandatory injunction and also for recovery of possession and the Trial Court dismissed the suit. Against which, he preferred A.S.No.170 of 2004 and the First Appellate Court allowed the same and decreed the suit as prayed for. Against which, the respondents filed the present second appeal and this Court has granted an order of interim stay and after admission, this second appeal was not listed. The petitioner is a senior citizen and aged about 72 years. Thus, he prayed for fix an early date for the disposal of the second appeal.



3.Considering fact that the second appeal has been pending from 2006 onwards and also considering the reason given in the petition, the Registry is directed to post S.A(MD)No.810 of 2016 for final hearing on 27.09.2019.

4.The petition is accordingly ordered.

sd/-  
10/09/2019

/ TRUE COPY /

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

TO

1 THE DISTRICT MUNSIF,  
MELUR

2 THE SUBORDINATE JUDGE II, MADURAI.

ORDER  
IN  
CMP(MD) No.8131 of 2019  
IN  
SA(MD) No.810 of 2006  
Date :10/09/2019

TR/PN/SAR-II (16.09.2019) 2P 3C