

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Twenty Third day of July Two Thousand Twenty

PRESENT

The Hon`ble MR JUSTICE R.SUBRAMANIAN

CMP No.7843 of 2020

IN SA.396 of 2020

1 A.THANGARAJ [PETITIONERS]

2 T.A.VENKATACHALAM

Vs

1 C.MADHESWARAN [RESPONDENTS]

2 C.KRISHNAMORRTHY

3 CHINNATHAMBI

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 Interim stay of the operation of the Judgment and Decree dt. 22/01/2020 made in AS No.86/2019 on the file of the Additional Subordinate Judge II, Salem reversing the Judgment and Decree dt 31-07-2019 made in OS No.680/2015 on the file of the Honble I Additional District Munsiff, Salem (CMP.7843/2020) pending respectively in SA.396/2020.

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.T.S.VIJAYA RAGHAVAN, Advocate for the petitioners the court made the following order:-

The Civil Miscellaneous Petitions has been filed seeking stay of operation of the judgment and decree in OS No. 680 of 2015 as granted in AS No.86 of 2019 on the file of the Additional Subordinate Judge II, Salem. The decree is one for permanent injunction restraining the appellant from interfering with the possession of the respondent except under due process of law.

2. It is not an executable decree. Hence the prayer for stay is misconceived, therefore, the Civil Miscellaneous Petition is dismissed with liberty to the petitioner to seek suspension of the decree for injunction.

-sd/-
23/07/2020
/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE I ST ADDITIONAL DISTRICT MUNSIF,
SALEM

2 THE ADDITIONAL SUBORDINATE JUDGE II,
SALEM

C.C. to M/S.T.S.VIJAYA RAGHAVAN Advocate S.R.NO.25090

Order

in
CMP.7843/2020

in
SA.396/2020

Date :23/07/2020

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
MJ 29/07/2020

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