IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the Twenty Ninth day of July Two Thousand Twenty

PRESENT

THE HON`BLE MR JUSTICE R. MAHADEVAN

CMP NOs.8952 AND 8953 OF 2017

AND CMP.NO.8378 OF 2019

IN AS.211/2017

1 SMT. KAMALAM [PETITIONERS IN CMP Nos.8952, 8953 OF 2017

2 SMT.G.BAGHIYALAKSHMI AND RESPONDENTS IN CMP.NO.8378 OF 2019
IN AS.NO.211 OF 2017]

Vs

1 M.A.ABDUL RAHMAN [RESPONDENTS IN CMP NOs.8952 AND 8953 OF 2017]
2 K.H.ISMAIL AND PETITIONERS IN CMP.NO.8378 OF 2019
3 A.P.FAIZAL IN AS.NO.211 OF 2017]
4 S.KITHAPUDDIN
5 NOOR JAHAN
6 AYISAMMA
7 BALKEES
8 ARIBA
9 SAMEEMA
10 SALEEMABIVI
11 K.A.HUSSAIN

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Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay all further proceedings pursuant to the Judgment and Decree dated 21.11.2016 in O.S.21 of 2016 on the file of the IV Additional District Court, Coimbatore in CMP.8952/17 in AS.No.211/17 AND;

(II) *To interim injunction from in any way interfering with ourt peaceful possession and enjoyment of the properties more fully described in the schedule to the petition filed herewith which is the subject matter of O.S.No.21 of 2016 on the file of the IV Addl.District Court, Coimbatore IN CMP.NO.8953 OF 2017 AND;*

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SCHEDULE OF PROPERTY XEROX COPY ATTACHED

(III) To permit the petitioner to receive back the original documents marked as Exhibits A24 to A28 in O.S.No.21 of 2006 on the file of the IV Additional District Judge, Coimbatore IN CMP.NO.8378 OF 2019 Respectively.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.D.SHIVAKUMARAN, Advocate for the petitioners IN CMP Nos.8952, 8953 OF 2017 AND RESPONDENTS IN CMP.NO.8378 OF 2019 IN AS.NO.211 OF 2017 and of Mr.K.S.KARTHIK RAJA, Advocate on behalf of the 1 TO 9 Respondents IN CMP NOs.8952 AND 8953 OF 2017 AND PETITIONERS IN CMP.NO.8378 OF 2019 IN AS.NO.211 OF 2017 the court made the following order:-

C O M M O N O R D E R

In C.M.P.No.8952 of 2017, on 05.07.2017 this Court passed the following order :

> "Considering the fact the decree is one for specific performance, there shall be an order of stay of execution of the sale deed alone till the disposal of the appeal."

Hence, this petition is ordered accordingly.

2.In view of the order passed in C.M.P.No.8952 of 2017, C.M.P.No.8953 of 2017 seeking interim injunction stands closed. Consequently, connected C.M.P.No.8378 of 2019 seeking permission to receive the original documents viz., Exs.A24 to A28 is also closed, as the learned counsel for the petitioners has not pressed the same

-sd/-
29/07/2020
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Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE IV ADDITIONAL DISTRICT JUDGE,
COIMBATORE.

2 THE SECTION OFFICER,
VR SECTION, HIGH COURT,
CHENNAI-104.

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C.C. to M/S.D.SHIVAKUMARAN Advocate on payment of necessary charges

Order

in
CMP NOs.8952 AND 8953 OF 2017

AND CMP.NO.8378 OF 2019

IN AS.211/2017

Date :29/07/2020

From 26.2.2001 the Registry is issuing certified copies of the Interim Orders in this format
SDR 11.07.2017
VC (21/09/2020)

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