



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

Tuesday, the Eighteenth day of February Two Thousand Twenty

PRESENT

The Hon'ble Mrs.Justice R.THARANI

CMP(MD) No.1687 of 2020

IN

CRP(MD) No.288 of 2020

SAKTHIMURUGAN

... PETITIONER/PETITIONER

Vs

1 SEETHALAKSHMI
2 DHANALAKSHMI
3 SANGAPILLAI
4 MUTHUSAMY
5 THANGARAJ
6 SIVAKUMARAN
7 RAMAMOORTHY
8 MATHIYALAGAN
9 KARUPPANAN

... RESPONDENTS/RESPONDENTS

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 order dated 17.06.2019 in I.A. No. 579 of 2017 in I.A. No. 692 of 2016 in O.S. no. 284 of 2006 on the file of the District Munsif Court, Kulithalai.

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.AN.RAMANATHAN, Advocate for the petitioner, the court made the following order:-

This petition is filed to stay all further proceedings pursuant to the order, dated 17.06.2019 made in I.A.No.579 of 2017 in I.A.No.692 of 2016 in O.S.No.284 of 2006 on the file of the District Munsif, Kulithalai.

2. On the side of the petitioner, it is stated that in the partition suit, family members entered into a compromise and obtained a compromise decree and there was a settlement. The petitioner is a mortgagor in the property and mortgaged amount was to be paid by three sisters, but only two sisters filed an E.P.



seeking to permit them to deposit that amount and to evict the petitioner from the premises. The petitioner had made subsequent submissions and also prayed that stay may be granted.

3. The petitioner is only a mortgagor and he has no right over the property and there is no necessity to stay the proceedings. Hence, this Civil Miscellaneous Petition is dismissed.

sd/-
18/02/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE DISTRICT MUNSIF,
KULITHALAI.

ORDER
IN
CMP (MD) No.1687 of 2020
IN
CRP (MD) No.288 of 2020
Date :18/02/2020

LS
TE/PN/SAR-I : 06/03/2020 : 2P/2C