



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

Wednesday, the Nineteenth day of February Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN

CMP (MD) No.4562 of 2019
IN
SA (MD) No.244 of 2019

C.MICHAEL GEORGE

... PETITIONER/ APPELLANT

Vs

1 PUNITHAN

2 THE SPECIAL OFFICER,
THE CO-OPERATIVE HOUSING SOCIETY,
Y-242, CHRISTOBER STREET,
NESAMANY NAGAR, NEEDAKARAI 'A' VILLAGE,
AGASTEESWARAM TALUK,
KANYAKUMARI DISTRICT.

3 MARY EASTHER

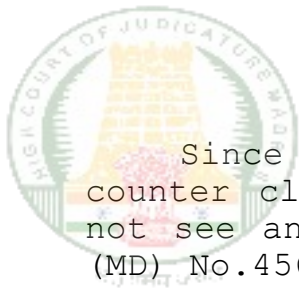
... RESPONDENTS/ RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order of interim injunction restraining the Respondents No.1 and 3 from interfering with the petitioner peaceful possession and enjoyment of the suit schedule property forming the subject matter of the suit in OS.No.3 of 2009 on the file of the 2nd Additional Sub Court, Nagercoil pending disposal of the above Second Appeal.

Prayer in SA(MD) No.244 of 2019:

To allow the above second appeal setting aside the Judgment and Decree passed A.S.No.17 of 2016 on the file of the Principal District Judge, Kanyakumari District at Nagercoil dated 28.02.2019 confirming the Judgment and Decree passed in O.S.No.3 of 2009 on the file of the 2nd Additional Sub Court, Nagercoil dated 09.02.2016.

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.M.P.SENTHIL, Advocate for the petitioner and of MR.T.LAJAPATHI ROY, Advocate for R1 & R3 and MR.J.GUNASEELAN MUTHIAH, Advocate for R2, the court made the following order:-



Since the possession of the petitioner is admitted and the counter claim has been filed seeking recovery of possession, I do not see any need for granting interim injunction. Therefore, C.M.P (MD) No.4562 of 2019 is dismissed.

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19/02/2020

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

TO

- 1 THE PRINCIPAL DISTRICT JUDGE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 2 THE II ADDITIONAL SUB JUDGE,
NAGERCOIL.

ORDER
IN
CMP (MD) No.4562 of 2019
IN
SA(MD) No.244 of 2019
Date :19/02/2020

am
JM/VR/SAR 2/25.02.2020/2P/3C