



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

Wednesday, the Eleventh day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice RMT.TEEKAA RAMAN

CMP(MD) No.10677 of 2019
IN
SA(MD) No.781 of 2007

1 T.BAGAVATHIAPPAN (DIED)
2 YESUVADIYAL
3 THENNARASI
4 VIJI
5 BABU

... PETITIONERS/ APPELLANTS

Vs

PUTHUVIN JOEL RAJAN

... RESPONDENT/ RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit the Petitioner to repair the house which is situated in the Plaint Schedule Property, pending disposal of the above SA(MD)No.781 of 2007 and thus render justice.

Prayer in SA(MD) . 781/ 2007 :

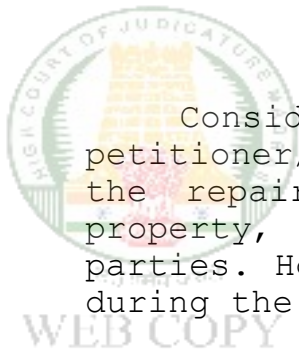
To prefer this Memorandum of Grounds of Second Appeal before this Honourable Court against the Judgment and decree of the Second Additional Subordinate Judge, Nagercoil in AS.31/2003, dated 30.11.2005, confirming the Judgment and decree dated 18.12.2002 in OS.1114/1988 on the file of the Principal District Munsif, Nagercoil.

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.G.RAMANATHAN, Advocate for the petitioners, and respondent not appeared either in person or by an advocate, the court made the following order:-

This Civil Miscellaneous Petition is filed seeking permission to repair the damaged portion of the house situated in the plaint schedule property .

The respondent called absent and no counter is filed.

Heard the learned counsel for the petitioner/appellant.



Considering the submission made by the learned counsel for the petitioner/appellant, the petitioner/appellant is permitted to do the repair work in the house situated in the plaint schedule property, without prejudice to the rights and contention of both parties. However, he shall not claim any cost or the plea of equity during the final disposal.

With the above observation, this Civil Miscellaneous Petition is allowed.

Post the main second appeal after two weeks.

sd/-
11/03/2020

/ TRUE COPY /

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

TO

1 THE SECOND ADDITIONAL SUBORDINATE JUDGE,
NAGERCOIL.

2 THE PRINCIPAL DISTRICT MUNSIF, NAGERCOIL.

+1 CC to M/s.G.RAMANATHAN, Advocate (SR-5116[I] dated 11/03/2020)

ORDER
IN
CMP(MD) No.10677 of 2019
IN
SA(MD) No.781 of 2007
Date :11/03/2020

MS/VR/SAR-1/17.03.2020/2P.4C