



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Eleventh day of November Two Thousand Twenty One

PRESENT

THE HON`BLE MR.JUSTICE S.S.SUNDAR

CMP.No.18490 of 2019

IN AS.No.735 of 2018

MRS.K.PADMA

[PETITIONER]

Vs

1 MR.V.SELVAMANI

[RESPONDENTS]

2 MRS.ETTIYAMMAL

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 in O.S.No.3 of 2013 on the file of Principal District court, Chengalpattu, pursuant to the judgement and decree dated 16/03/2018 (IN CMP.No.18490/2019) pending disposal of the above AS.No.735/2018.

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

This petition is filed seeking stay of all further proceedings in OS.No.3/2013 on the file of the learned Principal District Judge, Chengalpattu, pursuant to the judgment and decree dated 16.03.2018.

2.The appellant/petitioner has filed the said suit for a declaration, to declare the Sale Deeds dated 27.05.1995 and 29.06.1995 bearing Doc.Nos.1549/1995 and 2535/1995, as null and void and also for a consequential mandatory injunction, directing the defendants to demolish the construction put up by the defendants in the suit property. The suit was also for permanent injunction restraining the defendants from interfering with the plaintiff's peaceful possession and enjoyment over the suit property.

3.It is admitted that the suit itself was dismissed and the appeal has been preferred by the appellant/petitioner as against the judgment and decree of the Trial Court. In such circumstances, there



is no scope for granting stay of all further proceedings in OS.No.3/2013.

4.Hence, the present Civil Miscellaneous Petition stands **dismissed.**

5.Post the Appeal Suit for final hearing on **22.11.2021.**

-sd/-

11/11/2021

/ TRUE COPY /

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

TO

THE PRINCIPAL DISTRICT JUDGE,
KANCHIPURAM AT CHENGALPATTU.

Order
in
CMP.No.18490 of 2019

IN AS.No.735 of 2018

Date :11/11/2021

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