



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

Tuesday, the Twenty Third day of March Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN

CMP(MD) No.2882 of 2021

IN

SA(MD) No.193 of 2021

K.NALLAMUTHU

... PETITIONER/APPELLANT

Vs

1 M.CHANDRAN

2 J.SENTHILKUMAR

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant an order of Interim Stay the operation of the judgment and decree passed in the above AS No.6 of 2018 on the file of the learned Subordinate Court, Palani dated 03.10.2019 by confirming the judgment and decree passed by the learned District Munsif Court, Palani in OS No.232 of 2013 dated 11.10.2017 pending disposal of the above Second Appeal.

PRAYER IN SA(MD) No.193 of 2021:

To prefer this Memorandum of Grounds of Second appeal before this Honourable Court challenging the judgment and decree passed by the learned Subordinate Court, Palani in AS No.6 of 2018 dated 03.10.2019 by confirming the judgment and decree passed by the learned District Munsif Court, Palani in OS No.232 of 2013 dated 11.10.2017 for the following among other grounds.

ORDER :This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.C.GANGAI AMARAN, Advocate for the petitioner, while admitting the Second Appeal, the Court made the following order:-

Since the appellant's suit has been dismissed by the Courts below, there is no executable decree. Hence, the stay petition is dismissed as misconceived, leaving it open to the petitioner to seek appropriate interim relief.

sd/-

23/03/2021

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



TO

1.THE SUBORDINATE JUDGE, PALANI

2.THE DISTRICT MUNSIF, PALANI

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ORDER

IN

CMP (MD) No.2882 of 2021

IN

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Date :23/03/2021

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PK/JC/26.03.2021 : 2P/3C