



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

Thursday, the Fourth day of March Two Thousand and Twenty One

PRESENT

The Hon'ble Mr. Justice R. SUBRAMANIAN

CMP(MD) No.12039 of 2016
IN
SA(MD) No.760 of 2016

INNOCENT

... PETITIONER/APPELLANT

Vs

1 PALESTINE PAPPA
2 REMIGIUL GNANAPRAKASAM

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to stay all further proceedings, pursuant to the preliminary decree dated 20.04.2015 passed in O.S.No.110 of 2014, on the file of the Subordinate Judge, Valliyoor, as confirmed by the decree dated 24.06.2016 passed in A.S.No.30 of 2015, on the file of the Third Additional District Judge, Tirunelveli, pending disposal of the above Second Appeal

Prayer in SA(MD) No.760 of 2016:

To set aside the decree and the judgment dated 24.06.2016 rendered in A.S.No.30 of 2015 on the file of the Third Additional District Judge, Tirunelveli, confirming the decree and the Judgment dated 20.04.2015 rendered in O.S.No.110 of 2014 on the file of the Subordinate Judge, Valliyoor, by allowing this Second Appeal.

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.G.ARAVINTHAN, Advocate for the petitioner and of M/s.V.A.DHANA ARAVINDHA BALAJI, Advocate for 1st Respondent, the Court made the following order:-

Considering the decree challenged is a preliminary decree for partition, interim stay granted on 22.12.2016 for passing final decree alone is made absolute. This petition will stand allowed. It is made clear that other proceedings may go on.

sd/-
04/03/2021

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



TO

1. THE SUBORDINATE JUDGE, VALLIYOOR.

2. THE III ADDITIONAL DISTRICT JUDGE,
TIRUNELVELI

ORDER

IN

CMP (MD) No.12039 of 2016

IN

SA (MD) No.760 of 2016

Date :04/03/2021

VRN

TE/SMA/SAR-III : 09/03/2021 : 2P/3C