



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

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

PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN

CMP (MD) No.6335 of 2016

IN

SA (MD) No.526 of 2016

1 MOHABBATH BEEVI

2 SAJI

3 SAMEENA

4 SAFEEK

... PETITIONERS/APPELLANTS

Vs

BADHRUDEEN

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant stay all further proceedings of the decree and judgment in AS.No.22/2013 on the file of the Subordinate Judge, Ramanathapuram dated 02.12.2014 pending disposal of the Second Appeal.

Prayer in SA (MD).NO.526 OF 2016:

pleased to set aside the judgment and decree of the Learned Subordinate Judge, Ramanathapuram in A.S.No.22 of 2013 dated 02.12.2014 reversing the decree and judgment of the District Munsif, Ramanathapuram in O.S.No.64 of 2007 dated 19.03.2013 and dismiss the suit by allowing this Second appeal with costs throughout.

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 M/S. A.HAJA MOHIDEEN, Advocate for the petitioner, the court made the following order:-

This application has been filed seeking stay of all further proceedings pursuant the judgment and decree in A.S.No.22 of 2013 on the file of the Subordinate Court, Ramanathapuram, dated 02.12.2014.

2.The said decree is one for declaration and injunction. Hence, there cannot be any further proceedings pursuant to the said decree. Hence, this application for stay is dismissed as



misconceived. Liberty is reserved to the petitioner to move an appropriate application.

sd/-
03/03/2021

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/ /2021

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

TO

- 1.THE SUBORDINATE JUDGE, RAMANATHAPURAM
- 2.THE DISTRICT MUNSIF, RAMANATHAPURAM

ORDER
IN
CMP (MD) No.6335 of 2016
IN
SA(MD) No.526 of 2016
Date :03/03/2021

NR/PN/SAR-II (10.03.2021) 2P:3C