



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Tuesday, the Twenty Ninth day of March Two Thousand Twenty Two

WEB COPY

PRESENT

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

CMP.No.13267/2020 & CMP.No.25461/2019

in SA.No.1038/2019

1 CHINNAPONNU [1st PETITIONER in CMP.13267/2020 and
1st REPONDENT in CMP.25461/2019]

2 KOKILAVANAN [2nd PETITIONER in CMP.13267/2020 and
BOTH REP BY ITS POWER AGENT 2nd RESPONDENT in CMP.25461/2019]
KATHALINGAM,
S/O GANAPATHY KUMAR,
D.NO.6, WEST STREET,
KAZHANIVASAL VILLAGE,
KUTHALAM TALUK, MAYILADUTHURAI DISTRICT.
Vs

1 PALANIVEL [1st RESPONDENT in CMP.13267/2020 and
1st PETITIONER in CMP.25461/2019]

2 IYAPPAN [2nd RESPONDENT in CMP.13267/2020 and
2nd PETITIONER in CMP.25461/2019]

3 PAKKIRISAMI [3rd RESPONDENT in CMP.13267/2020 and
3rd RESPONDENT in CMP.25461/2019]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to vacate the order of interim stay dated 29/11/2019 on the execution of the decree in O.S.No.273/2013 on the file of the District Munsif, Mayiladuthurai as granted in A.S.No.8/2018 on the file of Additional Sub-Court, Mayiladuthurai (CMP.No.13267/2020) and;

(2) To stay the operation of judgement and decree in AS.No.8/2018 dated 11/10/2018 on the file of Additional Sub court, Mayiladuthurai, Nagapattinam Dist reversing the Decree and judgment in O.S.No.273/2013 dt 1/09/2017 on the file of Principal District Munsif, Mayiladuthurai (CMP.No.25461/2019) pending disposal of the above SA.No.1038/2019.



Order : These petitions 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.DR.S.VIDYA, Advocate for 1st PETITIONER in CMP.13267/2020 and 1st REPONDENT in CMP.25461/2019 and M/S.K.M.VIJAYAN ASSOCIATES, Advocate for the 1st RESPONDENT in CMP.13267/2020 and 1st PETITIONER in CMP.25461/2019, the court made the following order:-

The learned counsel for the appellants states that he will argue the main Second Appeal itself.

2.Hence, the interim order granted by this Court earlier on 29.11.2019 in CMP.No.25461/2019 is made absolute and the present petition to vacate the said interim order, is dismissed.

3.Post SA.No.1038/2019 for final disposal on 06.04.2022.

4.Registry is directed to call for the records from the Courts below.

-sd/-
29/03/2022
/ TRUE COPY /

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

TO

1 THE PRINCIPAL DISTRICT MUNSIF
MAYILATHURAI.

2 THE ADDITIONAL SUBORDINATE
JUDGE, MAYILADUTHURAI.

Order
in
CMP.No.13267/2020 & CMP.No.25461/2019
in SA.No.1038/2019

Date :29/03/2022

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
GS(31/03/2022)