

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Third day of March Two Thousand Twenty Two

PRESENT

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

CMP Nos.20122 of 2017 and 20857 of 2021

in SA.No.802 of 2017

1 PREMA	...1 TO 6 PETITIONERS IN CMP.20122/2017
2 VANITHA	& 1 TO 6 RESPONDENTS IN CMP.20857/2017
3 VELLINGIRI	
4 KAVITHA	
5 SANGEETHA	
6 DEEPA	

Vs

1 P. NEELAVENI [DIED]	... 1 TO 4 RESPONDENTS IN CMP.20122/2017
2 D. PADMAVATHY	& 1 TO 4 PETITIONERS IN CMP.20857/2017
3 B. PARTHASARATHY	
4 S. AMBUJAM	
5 R. GUNASEKARAN	5 TO 9 RESPONDENTS IN CMP.20122/2017
6 KANAGAM	& 7 TO 11 RESPONDENTS IN CMP.20857/2017
7 CHITRA	
8 RAVIKUMAR	
9 JAYA	
10 KUPPUSAMY	10 th RESPONDENT IN CMP.20122/2017
	& 5 th PETITIONER IN CMP.20857/2017

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 judgment and decree in OS.No.303/1998, on the file of the II Additional Subordinate Judge's Court, Coimbatore confirming the judgment and decree in AS.No.48/2010 on the file of the I Additional District Judge's Court, coimbatore, [in CMP No.20122 of 2017] pending disposal of the above SA.No.802 of 2017;

2.To order vacate the interim stay granted in CMP. No.20122/2017 in SA.No.802/2017 dated 07.12.2017 on the file of this Hon'ble court [in CMP No. 20857 of 2021] respectively.

Order : This miscellaneous 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.C.R.PRASANAN, Advocate for the petitioner in 1 TO 6 PETITIONERS IN CMP.20122/2017 & 1 TO 6 RESPONDENTS IN CMP.20857/2017 and of M/S.C.T.UDAYAPPAN, Advocate for the 1 TO 4 RESPONDENTS IN CMP.20122/2017 & 1 TO 4 PETITIONERS IN CMP.20857/2017 and 5 TO 9 RESPONDENTS IN CMP.20122/2017 & 7 TO 11 RESPONDENTS IN CMP.20857/2017 and 10th RESPONDENT IN CMP.20122/2017 & 5th PETITIONER IN CMP.20857/2017, the court made the following order:-

The suit is for partition. As against the preliminary decree granted, the above appeal has been preferred by the defendant in this suit.

2. This Court has granted interim stay of passing of final decree alone. Having regard to the fact the appeal itself is against the preliminary decree, this court is inclined to confine the stay only regarding passing of preliminary decree alone. It is made clear that other proceedings shall go on. Both the miscellaneous petitions are disposed of.

3. Post the second appeal for final hearing on 18.03.2022.

-sd/-

03/03/2022

/ TRUE COPY /

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

TO

1 THE II ADDITIONAL SUBORDINATE JUDGE,
COIMBATORE

2 THE I ADDITIONAL DISTRICT JUDGE,
COIMBATORE

C.C. to M/S.C.R.PRASANAN, Advocate, SR.No.1510/2022.

C.C. to M/S.AL.GANTHIMATHI, Advocate, SR.No.1568/2022.

Order
in
CMP Nos.20122 of 2017 and 20857 of 2021
in SA.No.802 of 2017

Date :03/03/2022

From 26.2.2001 the Registry is issuing certified
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RA 10/03/2022