



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

Monday, Tenth day of October Two Thousand Twenty Two

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CMP(MD).No.811 of 2021
in
SA(MD).No.64 of 2021

1.Murugan

2.Lakshmanan ... Petitioners/Appellants

vs

1.Saraswathi

2.Muppulimadan @ Kannan

3.Pannerselvam @ Pappa

... Respondents/Respondents

Prayer : Civil Miscellaneous Petition filed, praying Interim Injunction restraining the 2nd 3 Respondents/3 and 4th Defendants, their man, agents, etc., from any manner altering, alienating or encumbering the suit 2nd schedule properties which is the subject matter in O.S.No.455 of 2011 before Additional District Munsif Court, Tenkasi, pending disposal of the main Second Appeal.

Prayer in SA(MD).64 of 2021 : Second Appeal filed under Section 100 of Civil Procedure Code, against the Judgment and Decree dated 02.11.2020 passed in AS No.15 of 2018 on the file of the Additional Sub Court, Tenkasi confirming the Judgment and Decree dated 30.11.2017 passed in OS No.455 of 2011 on the file of the Additional District Munsif Court, Tenkasi.

ORDER:- This Civil Miscellaneous Petition is coming on for hearing on this day; upon perusing the petition and the affidavit filed in support thereof; upon perusing the judgments and decrees of the Lower Appellate Court and the Court of First Instance and the material papers in the suit and upon hearing the arguments of M/s.D.Nallathambi, Advocate for the Petitioners and this court having granted time till 31.10.2022 from 10.10.2022 for filing Batta with petition and affidavit copies reg Respondent No.1 to 3 for the compliance of the defects, as condition precedent and the said



Advocate, not having complied with the said direction of the Court, it is ordered that this Second Appeal do stand dismissed against the Respondents Nos. 1 to 3.

Sd/-

Assistant Registrar (CS II)

WEB COPY

// True Copy //

/11/2022

Sub Assistant Registrar(CS)

TO

1.The Additional Sub Judge, Tenkasi

2.The Additional District Munsif, Tenkasi.

Copy to:

- 1) The Section Officer.
Judicial Section,
Madurai Bench of Madras High Court
- 2) The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai.

Order dated : 10.10.2022.

CMP(MD).No.811 of 2021
in

SA(MD).No.64 of 2021

BATTA DEFAULT

Giving direction and etc.
as stated within.

MGJ/AR(22.11.2022) 2P 6C