



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

Thursday, the Sixteenth day of June Two Thousand and Twenty Two  
PRESENT

**The Hon`ble Mr.Justice P.VELMURUGAN**

CMP(MD) No.2958 & 3030 of 2020  
IN  
AS(MD) No.181 of 2015

VIJAYARAGUNATHAN

... PETITIONER/RESPONDENT/  
3<sup>rd</sup> DEFENDANT  
IN CMP (MD) No.2958/2020

VIJAYARAGUNATHAN

... PETITIONER/4<sup>th</sup> RESPONDENT  
IN CMP (MD) No.3030/2020

**Vs**

**IN CMP (MD) .2958/2020:**

- 1 ANNALAKSHMI
- 2 MUNEESWARAN (DIED)
- 3 MONIKA
- 4 MURUGAN
- 5 RANI
- 6 SARAVANAN
- 7 PROPRIETOR A.V.M HANDLOOMS,  
DOOR NO. 97, PALAM STATION ROAD,  
SELLUR, MADURAI-625 002.
- 8 STATE BANK OF INDIA,  
THROUGH ITS BRANCH MANAGER,  
YANAICKAL 2289,  
AMMAN SANNATHI STREET,  
MADURAI-1.

... RESPONDENTS/RESPONDENTS 1,2 & 4/  
DEFENDANTS 1,2 & 4

**IN CMP (MD) .3030/2020:**

- 1 ANNALAKSHMI
  - 2 MUNEESWARAN (DIED)
- ... RESPONDENTS 1 & 2/APPELLANTS 1 & 2



3 MONIKA

4 MURUGAN

5 RANI

6 SARAVANAN

7 PROPRIETOR A.V.M HANDLOOMS,  
DOOR NO. 97, PALAM STATION ROAD,  
SELLUR, MADURAI-625 002.

8 STATE BANK OF INDIA,  
THROUGH ITS BRANCH MANAGER,  
YANAICKAL 2289,  
AMMAN SANNATHI STREET,  
MADURAI-1.

... RESPONDENTS/RESPONDENTS 1,2 & 4/  
DEFENDANTS 1,2 & 4

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to order for restitution of the property comprised in Door.No. 96A/4, Madurai Sellur Palam Station Road, Nagoor Andavar Colony, Madurai with the petitioner.

**Prayer in CMP(MD). 3030/ 2020 :**

Pleased to stay the operation of the decree and judgment in O.S.(MD).No.368 of 2004 dated 12.10.2007 on the file of the Learned IV Additional District Court, Madurai pending disposal of this appeal A.S.18 of 2015.

**Prayer in AS(MD). 181/ 2015 :**

To set aside the judgment and Decree passed in I.A NO. 20 of 2009 in O.S NO. 368 of 2004 on the file of the IV Additional District Court, Madurai dated 23/02/2015.

**ORDER :** These petitions coming up for orders on this day, upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.P.GANAPATHI SUBRAMANIAN, Advocate for the petitioner in both the Petitions, the court made the following order:-

C.M.P(MD)No.2598 of 2020 is filed to order restitution of the property comprised in Door No.96A/4, Madurai Sellur Palam Station Road, Nagoor Andavar Colony, Madurai with the Petitioner.

2.C.M.P(MD)No.3030 of 2020 is filed to stay the operation of the decree and judgment in O.S.No.368 of 2004,dated 12.10.2007, on the file of IVth Additional District Court, Madurai, pending disposal of the above appeal suit.



3. When the matter is taken up for hearing, the learned counsel appearing for the Petitioner seeks permission of this Court to withdraw these Miscellaneous Petitions and has also made endorsements to that effect.

4. In view of the same, these Miscellaneous Petitions stand dismissed as withdrawn.

sd/-  
16/06/2022

/ TRUE COPY /

20/06/2022  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

**TO**

THE IV ADDITIONAL DISTRICT JUDGE,  
MADURAI.

**ORDER  
IN**

CMP (MD) No.2958 & 3030 of 2020  
IN  
AS (MD) No.181 of 2015  
Date :16/06/2022

SA/SVR/SAR.2/20.06.2022/3P/2C