



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

Thursday, the Thirty First day of March Two Thousand and Twenty Two

PRESENT

The Hon`ble Ms.Justice R.N.MANJULA

CMP (MD) No.5267 of 2020
IN
AS (MD) No.143 of 2020

1 JANAGAN

2 MUTHURAJA

... PETITIONERS/APPELLANTS

Vs

1 SRINIVASAN

2 SIVARAMAN

3 GOVINDHARAJAN

4 GNANASEKARAN

PARI (DIED)

5 VIJAYALAKSHMI

6 GAYATHIRI

7 VISHNU PRAKASH

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to stay all further proceedings of the judgment ordered in O.S.No.64 of 2014 Additional District Judge, Kumbakonam date 18-10-2019 pending disposal of the First appeal.

Prayer in AS (MD) . 143/ 2020 :

To set aside fair and decreetal order passed in O.S.No.64 of 2014 dated 18-10-2019 by the Hon'ble Additional District Judge, Fast Track Court, Kumbakonam Thanjavur District.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and

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upon hearing the arguments of M/S.K.BAALASUNDHARAM, Advocate for the petitioner and of not appeared for the Respondents No.1 to 7 either in person or by an advocate, the court made the following order:-

The appellants are the defendants in the suit. The respondents / plaintiffs have filed a suit for permanent injunction restraining the second defendant from interfering in hereditary poojariship of plaintiffs right in the suit Temple and also restraining the second defendant from interfering in administration of the suit Temple. The suit has been decreed as prayed for. Aggrieved over that, the defendants have filed the appeal. Pending appeal, the petition has also been filed to stay all further proceedings of the Judgement. To stay any of the proceedings of the Judgement would amount to allowing the appeal itself. Such interim order cannot be granted.

2. Hence, this Petition is dismissed. However, the appellants are at liberty to seek for early hearing of the appeal itself.

sd/-
31/03/2022

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

TO

THE ADDITIONAL DISTRICT JUDGE,
FAST TRACK COURT, KUMBAKONAM.

ORDER

IN

CMP (MD) No.5267 of 2020

IN

AS (MD) No.143 of 2020

Date :31/03/2022

SA/RJ/SAR.2/18.04.2022/2P/2C