



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

Wednesday, the Fourteenth day of September Two Thousand and
Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

C.M.P. (MD) No.8165 of 2022
in
A.S. (MD) No.144 of 2022

GANAPATHY,

... PETITIONER/APPELLANT

Vs

1 LAKSHMI

2 KANIAMMAL

3 SORNAM

4 RAMATHAI

5 GOMU

6 ESAKKIAMMAL

7 BEEMAN@NATARAJAN

8 ARUMUGAM

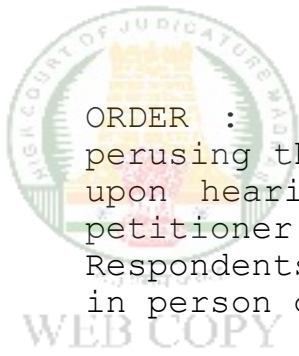
... RESPONDENTS/RESPONDENTS

(8th RESPONDENT EX-PARTY IN THE LOWER
COURT, NOTICE NOT NECESSARY MAY BE
DISPENSE WITH)

Petition filed praying that in the circumstances stated therein
and in the affidavit filed therewith the High Court may be pleased
to stay the operation of the decree and judgment passed in O.S. No.
89 of 2018 on the file of the Additional District Court (FTC),
Thenkasi, dated 28.03.2022 pending disposal of the above First
Appeal.

Prayer in AS (MD) . 144/ 2022 :

First Appeal filed under Section 96 and order 41 Ruel 1 of
Civil Procedure Code, to set aside the judgment and decree passed in
O.S.No.89 of 2018 on the file of the Additional District Court
(FTC), Tenkasi, dated 28/03/2022 and allow the First Appeal.



ORDER : This petition coming up for orders on this case, on perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.C.VAKEESWARAN, Advocate for the petitioner and of MR.D.NALLATHAMBI, Advocate on behalf of the Respondents 1 to 6 and of and the 7th respondent not appearing either in person or by an advocate, the court made the following order:-

This Civil Miscellaneous Petition has been filed to stay the operation of the decree and judgment passed in O.S.No.89 of 2018 on the file of the Additional District Court (FTC), Thenkasi, dated 28.03.2022, till the disposal of the first appeal.

2. Heard the learned counsel for the petitioner as well as the respondents 1 to 6.

3. The learned counsel for the petitioner would submit that the respondents 1 to 6/plaintiffs have already filed a final decree application and the same is pending in I.A.No.5 of 2022.

4. Considering the above, there shall be an order of interim stay for passing of final decree alone.

sd/-

14/09/2022

/ TRUE COPY /

/09/2022

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

TO

THE ADDITIONAL DISTRICT JUDGE,
FAST TRACK COURT, TENKASI.

+1 CC to M/s.C.VAKEESWARAN, Advocate (SR-9964[I] dated 14/09/2022)

ORDER

IN

C.M.P.(MD) No.8165 of 2022
in

A.S.(MD) No.144 of 2022

Date :14/09/2022

csm

PKP/SVR/SAR-2/20.09.2022/2P/3C