



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

Tuesday, the Twenty Ninth day of March Two Thousand and Twenty Two

PRESENT

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

CMP(MD) No.5475 of 2018
IN
AS(MD) No.104 of 2018

D.VASANTHI ANAND KUMARI

... PETITIONER / APPELLANT

Vs

A.KOWSALYA

... RESPONDENT / RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay the operation of further proceedings of the Judgment and Decree dated 22/12/2016 made in OS.No.109 of 2010 on the file of the Principal District Court, Dindigul pending disposal of the above Appeal.

Prayer in AS(MD) No.104 of 2018:

To set aside the Judgment and Decree passed in O.S.No.109 of 2010 on the file of the Principal District Judge, Dindigul dated 22.12.2016 by allowing this appeal.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.J.LAWRANCE, Advocate for the petitioner and of MR.D.SELVARAJ, Advocate for the respondent, the court made the following order:-

This petition has been filed by the appellant, who is the defendant in the suit.

2.The respondent/plaintiff has filed the suit for recovery of money based on mortgage deed. Preliminary decree has already been passed and challenging the same, the appellant has preferred this appeal. This petition is filed to stay the operation of the judgment of the trial Court.

3.The learned counsel for the respondent submitted that the final decree proceedings are still pending. Only after getting final decree proceedings, execution can be taken. It is seen from



the records that interim injunction has already been granted and it is being extended from time to time. The appel is also right for final hearing.

4.Considering the same, the interim injunction already granted is made absolute and this petition is closed.

sd/-
29/03/2022

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

TO

THE PRINCIPAL DISTRICT JUDGE,
DINDIGUL.

ORDER
IN
CMP (MD) No.5475 of 2018
IN
AS (MD) No.104 of 2018
Date :29/03/2022

MK/PN/SAR.IV/01.04.2022/2P/2C