



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

Wednesday, the Sixteenth day of March Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice R.THARANI

C.M.P. (MD) Nos.9335 and 9336 of 2018
IN
SA(MD) No.331 of 2018

V.YESUDHAS

... PETITIONER/ APPELLANT
in both the petitions

Vs

1 N.THANKAYYAN
2 EDWIN SHAJI
3 AMBIRAJAN
4 SHOBI
5 MINOR.ASWIN SHAJI
6 THANGARAJ

... RESPONDENTS/ RESPONDENTS/
DEFENDANTS in both the petitions

(MINOR 5th RESPONDENT REPRESENTED BY HIS MOTHER/
NATURAL GUARDIAN, THE 4th RESPONDENT HEREIN)

PRAYER IN C.M.P. (MD) No.9335 of 2018:

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to STAY of the operation of the Judgment and Decree dated 08.06.2015 passed in O.S.No.218 of 2008 on the file of 1st Additional District Munsif, Kuzhithurai as confirmed by the Judgment and Decree dated 06.09.2017 passed in A.S.No.105 of 2015 on the file of Sub Judge, Kuzhithuri, pending disposal of the above Second Appeal.

Prayer in CMP(MD) . 9336/ 2018 :

To grant an order of INTERIM INJUNCTION restraining the respondents in any way alienating or creating any third party rights and further in any way damaging the standing rubber trees in the suit schedule property which is the subject matter of the suit in O.S.No.218 of 2008 on the file of the Learned I Additional District Munsif, Kuzhithurai, pending disposal of the above Second Appeal.

Prayer in SA(MD) No.331 of 2018:

To set aside the judgment and decree dated 06.09.2017 passed in A.S.No.105 of 2015 on the file of Sub-Judge, Kuzhithurai confirming the judgment and decree dated 08.06.2015 passed in O.S.No.218 of 2008 on the file of 1st Additional District Munsif, Kuzhithurai.



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.M.P.SENTHIL, Advocate for the petitioner in both the petitions, the court made the following order:-

WEB COPY The matter to be decided in the appeal and C.M.P. (MD) Nos. 9335 and 9336 of 2018 are one and the same.

Hence, these Civil Miscellaneous Petitions are closed.

sd/-
16/03/2022

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

TO

1 THE SUBORDINATE JUDGE,
KUZHITHURAI.

2 THE 1ST ADDITIONAL DISTRICT MUNSIF,
KUZHITHURAI.

ORDER IN
C.M.P.(MD) Nos.9335 and 9336 of 2018
IN SA(MD) No.331 of 2018
Date :16/03/2022

vji
MS/PN/SAR-4/21.03.2022/2P.3C