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C.M.P.No.14023 of 2023

in

A.S.No.403 of 2023

R.SUBRAMANIAN, J.

and

R.KALAIMATHI, J.

This petition has been filed seeking stay of operation of the judgment and decree dated 24.01.2023 made in O.S.No.2190 of 2014 by the learned II-Additional City Civil Judge, Chennai. The said suit filed is one for partition and by the said judgment and decree dated 24.01.2023, the learned Trial Judge has dismissed the suit. There cannot be stay on operation of a judgment and decree. There can only be a stay on execution of the decree and a decree for dismissal cannot be executed. Hence, this Civil Miscellaneous Petition is dismissed as misconceived.

(R.S.M., J.) (R.K.M., J.)

18.07.2023

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