



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

Wednesday, the Eighth day of February Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice S.SOUNTHAR

CMP(MD) No.1221 of 2016
IN
SA(MD) No.50 of 2016

1 THANGAMMAL

2 MUTHULAKSHMI

... PETITIONERS/APPELLANTS

Vs

1 SUBRAMANIAN

2 NAMBI RAJAN

3 MUTHAMMAL

... RESPONDENTS/RESPONDENTS

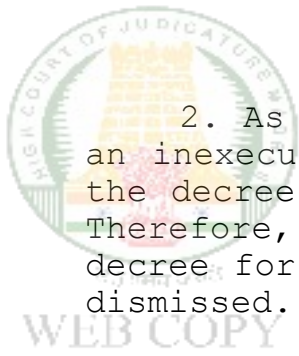
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to STAY the Judgment and Decree of the Trial Court passed in O.S.No.56 of 1996 dated 24.11.2006 passed by the District Munsif Court cum Judicial Magistrate Court, Nanguneri confirmed by the Judgment and Decree passed by the Sub Court, Valliyoor in A.S.No.177 of 2007 dated 06.09.2010 pending disposal of the SA(MD)No.50 of 2016 and thus render justice.

Prayer in SA(MD). 50/ 2016 :

To allow this Second Appeal by setting aside the Judgment and Decree passed by the Sub Court, Valliyur in A.S.No.177 of 2007 dated 06.09.2010 confirming the judgment and decree passed by the District Munsif Court, Nanguneri in O.S.No.56 of 1996 dated 24.11.2006.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.K.SATHIYASINGH, Advocate for the petitioner and of S.R.ANBARASU, Advocate on behalf of the Respondents, while admitting the SA., the court made the following order:-

The petitioners herein seek stay of decree for declaration and injunction.



2. As far as the first relief in the decree is concerned, it is an inexecutable decree. As far as the second relief is concerned, the decree for injunction has been in operation from the year 2006. Therefore, this Court is not inclined to stay the operation of decree for injunction. Hence, this civil miscellaneous petition is dismissed.

sd/-
08/02/2023

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/02/2023

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

ABR

TO

1. THE DISTRICT MUNSIF COURT CUM JUDICIAL MAGISTRATE , NANGUNERI.
2. THE SUBORDINATE JUDGE,, VALLIYOOR.

COPY TO

THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. (CALL FOR RECORDS)

ORDER
IN
CMP(MD) No.1221 of 2016
IN
SA(MD) No.50 of 2016
Date :08/02/2023

RK/SSS/SAR-1 (20/02/2023) 2P/4C