



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

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

WEB COPY

PRESENT

The Hon`ble Mr.Justice SUNDER MOHAN

CMP(MD) No.2077 of 2023

IN

SA(MD) No.84 of 2023

1 S.P.A.GUNASEKARAN
2 M.KALLIAMMAL

... PETITIONERS/APELLANTS

Vs

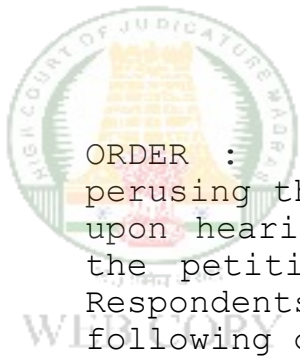
1 KOUSALAYA
2 CHIDAMBARAM
3 MAGUDEESWARAN
4 MUTHUVEL
5 JEGATHAMBAL
6 RAJALAKSHMI
7 KARUPPASAMY @ KARUPPANASAMY
8 RAJAMANI
9 MOHANA
10 MUTHU
11 THIRUMOORTHY
12 ESWARI

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant an order of interim stay of operation of judgment and decree dated 26-04-2016 in A.S.No.44 of 2016 on the file of the Subordinate Judge, Palani, reversing the judgment and decree dated 18-06-2015 in O.S.No.156 of 2008 on the file of the District Munsif, Palani pending this Hon`ble Court may deem fit and pass such further or other order as this Hon`ble Court may deem fit and proper in the circumstance of the case, and thus render justice.

PRAYER IN SA(MD) No.84 of 2023:-

To set aside the judgment and decree dated 26-04-2016 in A.S.No.44 of 2016 on the file of he Subordinate Judge, Palani reversing the Judgment and decree dated 18-06-2015 in O.S.No.156 of 2008 on the file of the District Munsif, Palani.



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. VR.SHANMUGANATHAN, Advocate for the petitioner and of M/S.MP.SENTHIL, Advocate on behalf of the Respondents No.1 to 6, while admitting the SA, the court made the following order:-

It is submitted that the suit is for specific performance and pursuant to the decree passed by the Appellate Court, sale deed was executed in favour of the respondents 1 to 6 by sale deed, dated 20.07.2017 in E.P.No.101 of 2016. Therefore nothing survives in the stay petition. Hence, this Civil Miscellaneous Petition stands dismissed. It is needless to say that the execution of the said sale deed is subject to the result of this second appeal.

sd/-
22/02/2023

/ TRUE COPY /

/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

BTR

TO

- 1 THE SUBORDINATE JUDGE, PALANI.
- 2 THE DISTRICT MUNSIF, PALANI.

ORDER
IN
CMP (MD) No.2077 of 2023
IN
SA(MD) No.84 of 2023
Date :22/02/2023

NA/SAR-I/08.03.2023/2P/3C