



CMP(MD) NO. 18153 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07-01-2025

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THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

CMP(MD) NO. 18153 of 2024

IN

SA(MD) NO. 747 OF 2024

Joseph Russel Raj and another

Petitioner(s)

Vs

Stephen and 6 others

Respondent(s)

For Petitioner(s):

Mr.C.Sankar Prakash, Advocate

For Respondents: Mr.S.Palanivelayutham for R1 to R3

No appearance for R6

ORDER

The learned counsel appearing for the petitioners would submit that the Trial Court had already granted pathway decree in favour of the petitioners / plaintiffs. The suit was filed for declaration of pathway right based on the easementary right. Based on the evidence, the Trial Court allowed the suit. However, an appeal was filed



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by the respondents before the first Appellate Court and the first Appellate Court without considering the documentary evidence and the Advocate Commissioners Report, which were very much available before it, had set aside the decree and Judgement passed in favour of the petitioners / plaintiffs. The learned counsel would submit that in the event if injunction is not granted, the petitioners / plaintiffs right would be prejudicely affected as their pathway right would be stopped by the respondents.

2. In view of the above submissions, there shall be an order of interim injunction until further orders.

3. Notice to the respondents 4, 5 and 7.

sd/-
07/01/2025

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/01/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MBI
TO
1 THE SUBORDINATE JUDGE,
PADMANABHAPURAM.

2 THE DISTRICT MUNSIF,
PADMANABHAPURAM.



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ORDER
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IN
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Date :07/01/2025

SA/VR/SAR. /22.01.2025/3P/3C

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