



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25-03-2026

CORAM

WEB COPY

THE HONOURABLE MR JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MS.JUSTICE R. POORNIMA

CMP(MD) NO. 19432 of 2025

1. S.Ramaseelan
S/o. Swamynathan
Ramji Illam
Mulluvilai
Kunnathur village
Vilavancode Taluk
Kanyakumari District.

Petitioner(s)

Vs

1. V.Krishnapillai
S/o. Vasudevan Pillai
Door No.18/203D1
Srikrishna Illam
Pinamthodu
Thumbacode Village
Vilavancode Taluk
Kanyakumari District.

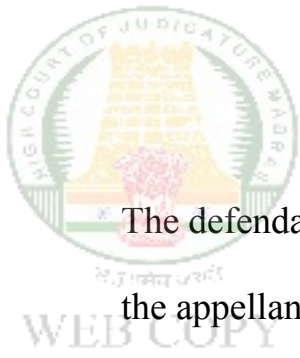
Respondent(s)

For Petitioner(s):

Mr.M.P.Senthil

For Respondent(s): Mr.G.Ramanathan

Prayer: This petition is filed under Section 151 of C.P.C. to stay of all further proceedings pursuant to the judgment and decree dated 13.09.2024 passed in O.S.No. 56 of 2019 on the file of Learned Additional District Judge, Kuzhithurai, pending disposal of the above appeal and pass such further or other orders, as this Honourable Court may deems fit and proper in the circumstances of the case and thus render justice.



ORDER

(Order of the Court was made by the Hon'ble G.R.Swaminathan J.)



The defendant in O.S No.56 of 2019 on the file of Additional District Judge, Kuzhithurai is the appellant herein. The appeal arises out of a suit for specific performance. The court below had decreed the suit as prayed for. It can be seen that pursuant to the decree passed by the court below, the sale deed has also been executed. Possession has also been delivered.

2. The learned counsel for the petitioner states that the court below may be restrained from recording the delivery. We are of the view that no purpose would be served by giving such an interim relief.

3. The petitioner's counsel expresses his apprehension that the plaintiff may alienate the property. We restrain the respondent herein from alienating or encumbering the suit property during the pendency of this appeal. If any alteration of the physical features is made, the plaintiff cannot claim any equity in the final hearing stage.

4.This Civil Miscellaneous Petition is disposed of accordingly.

(G.R.SWAMINATHAN J.) (R.POORNIMA J.)
25-03-2026

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To



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