

IN THE COURT OF PRINCIPAL DISTRICT MUNSIF, AT CHEEYAR,
THIRUVANNMALAI DISTRICT.

Present: S.N. Dhananjeyan, B.B.A.B.L,
Principal District Munsif, Cheyyar
Monday, the 30th day of October 2023

O.S.No.109/2021

Sekar

... Petitioner

/Vs/

1. Pazhani
2. Kalpana
3. Amaravathy

... Defendants

This petition coming up before me for final hearing on 30.10.2023 in the presence of Learned Counsel Thiru. M.S.Sankarapandian, appearing for the Petitioner and Learned Counsel Thiru.G.Gunasekaran, appearing for the Defendants and upon perusing records and having stood over for consideration till this date, this court made the following:

JUDGMENT

i) Plaintiff absent. Defendant counsel present. No order of extension of stay produced inspite of repeated adjournments. The plaintiff himself had volunteered to participate and further proceedings in this suit by filing a petition under order 6 Rule 17 CPC on 22-09-2023 itself, which was returned and represented many times till 07.10.2023, when the same was dismissed in IA 1/23 . Thus in a sense, the plaintiff himself has implied by his own conduct that he has no intention of getting the interim stay by Hon'ble High Court on 26.09.2022, extended further. He is estopped from relying on the above interim stay which was for 2 weeks, by his own participation by filing IA 1/23 . Following Hon'ble SC in "Asian Road Resurfacing agency limited VS CBI (2018) as the interim stay dt. 26.09.2022 had not been extended even after more than a year and a month. such stay is deemed to be vacated as per the Hon'ble SC ruling above. The plaintiff has played truant and had not proceeded with the case in

any manner, neither before this court nor before the Hon'ble High Court, inspite of repeated and several adjournments and opportunities.

ii) Hence, this Suit is dismissed for default with costs.

Pronounced in the open Court on the 30th day of October 2023

sd/-(S.N.Dhananjeyan)
Principal District Munsif,
Cheyyar.

IN THE COURT OF PRINCIPAL DISTRICT MUNSIF, AT CHEEYAR,
THIRUVANNMALAI DISTRICT.

Present: S.N. Dhananjeyan, B.B.A.B.L,
Principal District Munsif, Cheyyar
Monday, the 30th day of October 2023
O.S.No.109/2021

Sekar S/o. Rajnayakar, No. 312, Bajanaikoil Street, Anumanthapettai,
Dusi, Tiruvannamalai District. ... Petitioner

/Vs/

1. Pazhani S/o. Krishnan,
2. Kalpana W/o. Pazhani
3. Amaravathy W/o. Krishnan
All are residing at No. 311, Bajanaikoil Street, Anumanthapettai,
Dusi, Tiruvannamalai District. ... Defendants

To pass Decree and Judgment for Permanent injunction against the defendant and his men or his agents restraining them from in any way interfering with the plaintiff peaceful possession and enjoyment of mentioned schedule of property.

Court fee paid Rs.30/- in this Petition.

Petition filed on : 22.09.2021

This petition coming up before me for final hearing on 30.10.2023 in the presence of Learned Counsel Thiru. M.S.Sankarapandian, appearing for the Plaintiff and Learned Counsel Thiru.G.Gunasekaran, appearing for the Defendants and upon perusing records and having stood over for consideration till this date, this court made the following:

DECREE TAL ORDER

This Suit is dismissed for default with costs.

Given under my hand and the seal of this court, this the 30th day of October – 2023.

sd/-(S.N.Dhananjeyan)
Principal District Munsif,
Cheyyar.