



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

Friday, the Seventeenth day of September Two Thousand and Twenty One

PRESENT

WEB COPY

**The Hon'ble Mr. Justice G.R. SWAMINATHAN**

SA(MD) No.887 of 2009 and  
A.S. (MD) No.198 of 2021  
and  
M.P. (MD) No.1 of 2009 and  
C.M.P. (MD) No.6531 of 2021

**S.A. (MD) No.887 of 2009:**

MANI

... APPELLANT/ APPELLANT/ DEFENDANT

**Vs**

ALAGAR ALIAS KANNAN

... RESPONDENT/ RESPONDENT/ PLAINTIFF

**PRAYER IN S.A. (MD) No.887 of 2009:**

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to prefer this memorandum of Second Appeal against the judgment and decree passed in A.S.No.115 of 2007 on the file of the learned 1<sup>st</sup> Additional Subordinate Judge, Madurai dated 08.06.2009 confirming the judgment and decree of the Trial Court passed in O.S.No.672 of 2004 on the file of learned District Munsif, Madurai Taluk dated 25.04.2007.

**PRAYER IN M.P. (MD) No.1 of 2009 IN S.A. (MD) No.887 of 2009:**

To stay all further proceedings pursuant to the Judgment and Decree passed in OS.672 of 2004 on the file of District Munsif Court, Madurai Taluk, dated 25.04.2007 as confirmed in the Judgment and Decree passed in AS.115 of 2007 on the file of 1<sup>st</sup> Additional Subordinate Judge, Madurai dated 08.06.2009 pending disposal of the above Second Appeal.

**A.S. (MD) No.198 of 2021:**

MUNIYAMMAL

... APPELLANT/ DEFENDANT

**Vs**

ALAGAR @ KANNAN

... RESPONDENT/ PLAINTIFF

**Prayer in AS (MD) . 198/ 2021 :**

To set aside the judgment and decree dated 05.03.2021 passed in OS No.125 of 2019 on the file of the learned VI Additional District Court, Madurai.

**Prayer in CMP(MD). 6531/ 2021 :**

To pass an order of Interim Injunction restraining the respondent in any manner alienating or encumbering or creating any third party right in respect of the suit schedule properties which is the subject matter of the suit in OS No.125 of 2019 on the file of the learned VI<sup>th</sup> Additional District Court, Madurai, pending disposal of the above appeal.

**ORDER :** These petitions coming up for orders on this day, upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of Mr.M.P.SENTHIL, Advocate for the petitioner in both the petitions, the court made the following order:-

Registry to ensure that the records are despatched by the trial court.

They should be available for this court by 24.09.2021.

If necessary, a special messenger will be sent.

Interim order earlier granted will continue till the disposal of the appeal.

Call on 24.09.2021.

sd/-  
17/09/2021

/ TRUE COPY /

/ /2021  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

**TO**

- 1 THE 1<sup>ST</sup> ADDITIONAL SUBORDINATE JUDGE, MADURAI.
  - 2 THE DISTRICT MUNSIF, MADURAI.
  - 3 THE VI ADDITIONAL DISTRICT JUDGE, MADURAI.
- +1 C.C. M/S. M.P.SENTHIL, Advocate S.R.No.6318.

ORDER IN  
S.A. (MD) No.887 of 2009 and  
A.S. (MD) No.198 of 2021 and  
M.P. (MD) No.1 of 2009 and  
C.M.P. (MD) No.6531 of 2021  
Date :17/09/2021

USK/JC/SAR-II/(22.09.2021) 2P-5C

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