



A.S(MD)No.305 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 05.12.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

A.S(MD)No.305 of 2025
and
C.M.P(MD)No.11152 of 2025

R.Mugundhan : Petitioner

Vs.

1.M.Vidhula

2.R.Sudhakar

3.K.Agila : Respondents

Prayer in A.S(MD)No.305 of 2025 : Appeal Suit is filed under Section 96 of C.P.C., against the judgment and decree in O.S.No.130 of 2021, dated 28.06.2024 on the file of the IV Additional District Judge, Tirunelveli.

Prayer in C.M.P(MD)No.11152 of 2025 : This Civil Miscellaneous Petition filed under Section 41 Rule 3 A of C.P.C., to stay all further proceedings in I.A.No.11 of 2024 in O.S.No.130 of 2021, dated 28.06.2024 on the file of the IV Additional District Judge, Tirunelveli, pending disposal of the above first appeal.

For Petitioner : Mr.H.Mahamed Hussain

ORDER

When the matter was taken up for hearing on 04.12.2025, the learned counsel for the appellant would submit that since the respondents were



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pressing for enquiry in the final decree application, the said petition may be taken up for hearing, but there was no representation for the respondents.

2. It is evident from the records that though caveat was filed by the first respondent, subsequently Mr.S.Moorthi, learned counsel filed change of vakalat and the same was returned and is yet to be represented. Hence, the matter is adjourned today.

3. Even today there is no representation for the respondents. Since the vakalat was also not represented so far, the learned counsel for the appellant would submit that the other respondents 2 and 3 are sailing with the appellant and they have not filed any separate written statement, but adopted the statement filed by the appellant.

3.Issue fresh notice to the respondents 1 to 3 returnable by 19.12.2025. Private notice is also permitted.

4. Post the matter on 19.12.2025.

5.The IV Additional district Judge, Tirunelveli, is directed not to proceed with the final decree proceedings in I.A.No.11 of 2024, till then.

05.12.2025

das



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To

The IV Additional District Judge, Tirunelveli.



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K.MURALI SHANKAR,J.

das

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