



S.A(MD)No.497 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01-08-2025

CORAM

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

C.M.P.(MD)No.6463 of 2022 in S.A(MD)No.497 of 2022

Muthusamy(died) Dhanalakshmi,
W/o. Muthusamy, and 4 Others

Appellant(s)

Vs

Subramanian(died), Ramakrishnan,
S/o. Kulandaivelpillai, and 11 Others

Defendant(s)

For Appellant(s):

M/s.P.Ganapathi Subramanian
G. Kandhavadivelan

For Defendant(s):

M/s. M.P. Senthil

A.Mohamed Haneef Caveator For R1 To R7 (t/e)

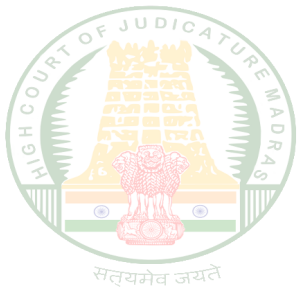
Court Notice

R9 To R12 - Ack. Card Received Without Parties Signature

R8 - Tapal Returned - Refused

ORDER

The Second Appeal has already been admitted.



S.A(MD)No.497 of 2022

WEB COPY

2.The learned Counsel for the appellants submitted that the suit was originally filed for bare injunction, which was later amended seeking for additional relief of mandatory injunction and recovery of possession. The suit came to be dismissed, but however, the lower appellate Court even without the relief of declaration, had decreed the suit for mandatory injunction and recovery of possession, against which, the Second Appeal has been preferred. The learned Counsel for the appellants also submitted that execution proceedings is pending in E.P.No.14 of 2023 and the execution petition is posted on 04.08.2025. The learned Counsel further submitted that if the execution proceedings is proceeded and the decree is implemented, then, nothing will survive in the appeal.

3.In view of the submission made by the learned Counsel for the appellants, there shall be an order of interim stay until further orders.

4.Post the Second Appeal during the 1st week of October 2025.

sd/-
01/08/2025

/ TRUE COPY /

01/08/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



S.A(MD)No.497 of 2022

WEB COPY
TO

1 THE SUB JUDGE,
THENI.

2 THE DISTRICT MUNSIF,
PERIYAKULAM.

ORDER
IN
CMP(MD) No.6463 of 2022
IN
SA(MD) No.497 of 2022
Date :01/08/2025

AS/01.08.2025/3P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.