



CRP(MD) No.2329 of 2024

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

Wednesday, the Twenty Fifth day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CRP(MD) No.2329 of 2024
and
CMP(MD) No.13215 of 2024

D.SUBASH

... PETITIONER/PETITIONER
/1ST DEFENDANT

Vs

1 P.ASHOK SUNDAR

... 1ST RESPONDENT/1ST RESPONDENT
/PLAINTIFF

2 M.JAIGANESH

... 2ND RESPONDENT/2ND RESPONDENT
/2ND DEFENDANT

S.KAMARAJ (DECEASED)

3 V.RAJARAM

4 S.SUBRAMANIYA RAJA

... RESPONDENTS 3 & 4/RESPONDENTS 4 & 5
/DEFENDANTS 4 & 5

5 KALAVATHY

6 KRITHIKA @ SWARNALAKSHMI

7 K.SARAVANAN

8 SELVI

9 A.GAYATHIRI

10 A.BALASUBRAMANIAN

... RESPONDENTS 5 TO 10
/RESPONDENTS 6 TO 11



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Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to set aside the fair and decreetal order dated 19-08-2024 passed in I.A.No.1 of 2019 in O.S.No.5 of 2007 on the file of the learned District Munsif Court, Theni.

Prayer in CMP(MD). 13215/ 2024 :

To grant an interim stay of all further proceedings pursuant to the judgment and decree dated 16-06-2012 made in O.S.No.5 of 2007 on the file of the learned District Munsif, Theni pending disposal of the above civil revision petition.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.M.P.SENTHIL, Advocate for M/S.WARAON AND SAI RAMS for the petitioner, the court made the following order:-

Issue notice to the respondents. Private notice is also permitted.

2.The delay in filing the I.A. is 2523 days. The petitioner is in possession of the property. In the suit, an exparte decree was obtained against the petitioner. Without filing any execution petition, with the help of Police, the plaintiff is trying to evict the petitioner. Therefore, there shall be an order of interim stay.

3.Post the case after four weeks.

sd/-
25/09/2024

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/10/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

tmg



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TO
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THE DISTRICT MUNSIF,
THENI.

+1. C.C. to M/S.M.P.SENTHIL Advocate SR.No.11766[I] Dated 26/09/2024

ORDER
IN
CRP(MD) No.2329 of 2024
and
CMP(MD) No.13215 of 2024
Date :25/09/2024

RS/MMS/SAR-(09.10.2024) 3P 3C
Madurai Bench of Madras High Court is issuing
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