

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2016

CORAM:

THE HON'BLE **MS. JUSTICE R.MALA**

C.R.P.(PD).No.3644 of 2015

and

M.P.Nos.1 & 2 of 2015

Wilson @ Pitchai
S/o.Perumal Nadar

.. Appellant/Petitioner

Vs.

C.Justin
S/o.Chellan

.. Respondent/Respondent

Prayer:

Civil Revision Petition filed under Article 227 of the Constitution of India against the order of dismissal dated 02.06.2015 made in I.A.No.78 of 2015 in A.S.No.8 of 2015 on the file of the Additional Subordinate Judge, Chengalpattu.

For Petitioner : Mr.K.Jayaraman

For Respondent : Mr.M.Kalyasundaram, Senior Counsel

for Mr.V.Srinivasan

ORDER

Heard the learned counsel appearing for the revision petitioner and the learned counsel appearing for the respondent.

2. The present Civil Revision Petition has been filed challenging the impugned order dated 02.06.2015 made in I.A.No.78 of 2015 in A.S.No.8 of 2015, wherein the application filed under Order 41 Rule 5(1) CPC, to stay the judgment and decree passed in O.S.No.194 of 2012 till the disposal of A.S.No.8 of 2015, came to be dismissed.

3. When the matter came up for admission on 10.09.2015, interim stay is also granted. Since the suit is for eviction, admittedly the tenant is in possession. In such circumstances, I am of the view that the interim stay granted by this Court shall continue till the disposal of the appeal in A.S.No.8 of 2015.

4. The learned Additional Subordinate Judge, Chengalpattu is directed to dispose of the case in A.S.No.8 of 2015 within a period of one month from the date of receipt of a copy of this order.

5. The Civil Revision Petition is disposed of with the above direction. Consequently, connected miscellaneous petitions are closed.
No costs.

08.01.2016

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To

The learned Additional Subordinate Judge,
Chengalpattu.

R.MALA, J.

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