

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

O.S.A. No.130 of 2012

and M.P.No.1 of 2012

R.Janaki

.. Appellant

-vs-

1.X.Deniz

2.Deepak Joseph Deniz

3.Malaika Maria Deniz

.. Respondents

Appeal filed under Order XXXVI Rule 9 of O.S. Rules read with Clause 15 of the Letters Patent against the order dated 08.11.2011 made in O.A.No.638 of 2011 in C.S.No.516 of 2011 on the original side of this Court.

For Appellant : Mr.AR.L.Sundaresan, Sr.Counsel
for Mr.T.Saikrishnan

For Respondents : Dr.P.Jagadeesan for R-1
: Mr.Colonel Dr.Edwin Jesudoss
for RR 2 and 3

* * * * *

J U D G M E N T

(Judgment of the Court was delivered by The Hon'ble Chief Justice)

After some hearing, learned Senior Counsel for the appellant states that the appellant's interests are, no doubt, protected by the impugned order, though till date the respondents have not sold the property, a position not disputed.

2.Learned Senior Counsel for the appellant, however, states that the suit should be expedited as even issues have not been framed. It is, thus, agreed that the appellant will file the replication, if any, within two (2) weeks and the suit be listed before the learned Single Judge for settlement of issues on 17.10.2016, whereafter the suit can be set down for trial. If the parties agree before the learned Single Judge to bear the costs, the trial can be expedited by appointing a Court Commissioner to record evidence.

3.Original Side Appeal, accordingly, stands dismissed in the aforesaid terms. No costs. Consequently, M.P.No.1 of 2012 stand dismissed.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

To

The Sub Assistant Registrar,
Original Side, Madras High Court,
Chennai.

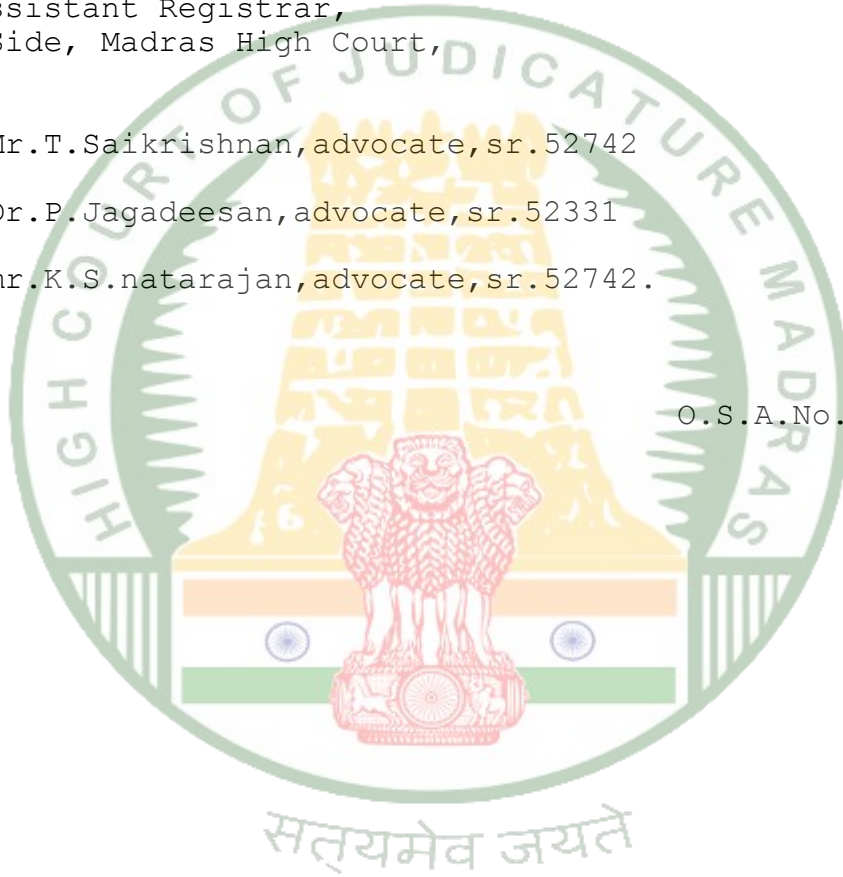
+1 cc to Mr.T.Saikrishnan,advocate,sr.52742

+1 cc to Dr.P.Jagadeesan,advocate,sr.52331

+1 cc to mr.K.S.natarajan,advocate,sr.52742.

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O.S.A.No.130 of 2012



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