



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

Wednesday, the Twentieth day of April Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice R.MAHADEVAN

CMP(MD) No.4315 of 2016
IN
SA(MD)No.560 of 2015

KRISHNAMOORTHY

... PETITIONER/APPELLANT

Vs

1 NAGAMMAL
2 BALASUBRAMANIAN
3 THILLAIYAMMAL (DIED)
3) JAGADEESAN,
4 JAGADEESAN
5 RATHINAVALLI
6 SAVITHIRI
7 KALA

... RESPONDENTS/RESPONDENTS

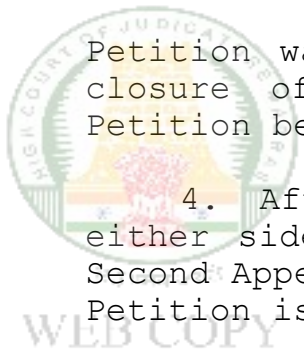
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay all further proceedings in OS.No.539/1998 on the file of the 1st Additional Sub Judge, Trichy as confirmed in the judgment and decree passed in AS.No.22/2014 on the file of the I Additional District Judge (PCR), Trichy, pending disposal of the above SA.(MD). No.560/2015, and thus render justice.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S. J.ANANDHAVALLI, Advocate for the petitioner and of MR.K.PRABHAKAR Advocate for the first Respondent the court made the following order:-

Earlier, this Court, by order dated 29.09.2015, granted interim stay for a period of eight weeks and upon notice, the respondents filed Vacate Stay petition. However, the interim stay granted on 29.09.2015 for a period of eight weeks was not extended thereafter and hence, the Stay Petition was closed as not pressed.

2. Since the Stay Petition was closed, the respondents moved Execution Petition before the Trial Court.

3. It is specifically averred by the learned counsel for the petitioner that the learned counsel for the respondents has agreed for fixing the date to hear the main Second Appeal, since the parties are senior citizens and on such undertaking, the Stay



Petition was not pressed seriously. Now, taking advantage of the closure of the Stay petition, the respondents moved Execution Petition before the Trial Court.

4. After some elaborate arguments, the learned counsel on either side agree to maintain status-quo till the disposal of the Second Appeal. The said statement is recorded and the Miscellaneous Petition is closed.

sd/-
20/04/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE I ADDITIONAL SUBORDINATE JUDGE, TRICHY

2 THE I ADDITIONAL DISTRICT JUDGE, (PCR) TRICHY

1. C.C. to M/S. J.ANANDHAVALLI Advocate SR.No.22405

ORDER
IN
CMP(MD) No.4315 of 2016
IN SA(MD) No.560 of 2015
Date :20/04/2016

GJM/SKS/RR/SAR-I-22.4.16-2P-4C