

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Monday, the Thirteenth day of November Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE D. KRISHNAKUMAR

CMP No.10612 of 2017

in CRP.PD.2238 of 2017

M.E.MARIYAPPAN

[PETITIONER]

Vs

M.S.DHANASINGH (DECEASED)

[RESPONDENTS]

1 SATHYA VIJAYA KUMAR, RES.1 TO 7 ARE AT 21,
ASIRVATHAM NAGAR, MOGAPPAIR WEST, CHENNAI

2 DHANASINGH PHILOMINA FARJANA

3 RAJESH KUMAR

4 D.JASWANTH RAJ

5 K.STELLA PADMINI

6 SHARMILA ANTONY RAJ

7 D.NAVEEN PREM KUMAR

8 THE ICICI BANK LTD.,
REP BY ITS MANAGER, ICICI BANK TOWERS,
REGIONAL OFFICE, 24, SOUTH PHASE, AMBATHUR
INDUSTRIAL ESTATE, AMBATHUR, CHENNAI.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay of all further proceedings in CMA.84 of 2014 pending on the file of the Special Judge/X Addl.Court, Chennai (in CMP.No.10612/2017) till the disposal of the above CRP.PD.No.2238/2017.

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.N.ELAYARAJA, Advocate for the petitioner and of M/S.S.BASKARAN, Advocate for the 1, 3, 4 & 7 on behalf of the Respondents and of 2, 5, 6 respondent not appearing

either in person or by an advocate the court made the following order:-

The learned counsel for the 4th respondent has filed a memo dated 02.11.2017 stating that by letter dated 13.03.2017 the ICICI Bank has handed over the keys to the fourth respondent. Thus the respondents are in possession and occupation of the property. The copy of the eviction order dated 30.11.2016 and the letter dated 13.03.2017 sent by the ICICI Bank have also been filed along with the memo.

2. In the light of the memo filed by the fourth respondent, the Civil Miscellaneous Petition is dismissed. However, it is open to the revision petitioner to work out his remedy before the lower Appellant Court.

-sd/-

13/11/2017

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE REGISTRAR
CITY CIVIL COURT, CHENNAI.

C.C. to M/S.N.ELAYARAJA Advocate on payment of necessary charges

C.C. to M/S.S.BASKARAN, Advocate on payment of necessary charges

Order

in
CMP.10612/2017

in
CRP.PD.2238/2017

Date :13/11/2017

From 26.2.2001 the Registry is issuing certified
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KP(20.11.2017)