

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Tuesday, the Twenty First day of November Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE S.MANIKUMAR

AND

THE HON`BLE MR JUSTICE R.SURESH KUMAR

WMP NOS.32185 TO 32189 OF 2017

IN WP.NOS.29809 TO 29813 OF 2017

C.V.MANICANTAN

[PETITIONER IN ALL THE PETITIONS]

Vs

1 STATE BANK OF INDIA,
DB DIVISION,
COIMBATORE MAIN BRANCH,
STATE BANK OF INDIA ROAD,
COIMBATORE 641 018.

[1 TO4 RESPONDENTS IN WMP.32185/17 IN
WP.29809/17]

2 C.V.THIRUMALAIVENDAN
3 GOMATHY
4 S.DEVAKI

1 STATE BANK OF INDIA [1 TO 6RESPONDENTS in WMP No.32186/17
DB DIVISION COIMBATORE MAIN BRANCH STATE IN WP.29810/17]
BANK OF INDIA ROAD COIMBATORE 641 018

2 S.DEVAKI
3 C.SARAVANAMUTHU
4 V.BALAKRISHNAN
5 V.SAKUNTHALAMANI
6 S.ASHOK KUMAR

1 STATE BANK OF INDIA [1 TO5 RESPONDENTS in WMP No.32187/17
DB DIVISION COIMBATORE MAIN BRANCH STATE IN WP.29811/17]
BANK OF INDIA ROAD COIMBATORE 641 018

2 THIRUMANI ENGINEERING WORKS
REP. BY ITS PARTNER GOMATHY VASUKI ILLAM
ASBESTOS ROAD PODHANUR COIMBATORE 641 023

3 GOMATHY
4 T.GEETHA
5 C.V.THIRUMALAIVENDAN

1 STATE BANK OF INDIA [1 &2 RESPONDENTS in WMP No.32188/7
DB DIVISION COIMBATORE MAIN BRANCH STATE IN WP.29812/17]
BANK OF INDIA ROAD COIMBATORE 641 018

2 C.V.THIRUMALAIVENDAN

1 STATE BANK OF INDIA [1 TO3RESPONDENTS in WMP No.32189/17
DB DIVISION COIMBATORE MAIN BRANCH STATE IN WP.29813/17]
BANK OF INDIA ROAD COIMBATORE 641 018

2 S.DEVAKI
3 MR.C.SARAVANAMUTHU

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

to grant stay of all further proceedings pursuant to the order in M.A.No.136 of 2012 on the file of the Debt Recovery Appellate Tribunal, Chennai dated 04.10.2017 (in WMP No.32185 of 2017) pending disposal of the above writ petition 29809/17.

(2) to grant stay of all further proceedings pursuant to the order in M.A.No.162 of 2012 on the file of the Debt Recovery Appellate Tribunal, Chennai dated 04.10.2017 (in WMP No.32186 of 2017) pending disposal of the above writ petition 29810/17.

(3) to grant stay of all further proceedings pursuant to the order in M.A.No.135 of 2012 on the file of the Debt Recovery Appellate Tribunal, Chennai dated 04.10.2017 (in WMP No.32187 of 2017) pending disposal of the above writ petition 29811/17.

(4) to grant stay of all further proceedings pursuant to the order in M.A.No.134 of 2015 ordered on the file of Debt Recovery Appellate Tribunal, Chennai, dated 04.10.2017 (in WMP No.32188 of 2017) pending disposal of the above writ petition 29812/17 and;

(5) to grant stay of all further proceedings pursuant to the order in M.A.No.133 of 2015 ordered on the file of Debt Recovery Appellate Tribunal, Chennai, dated 04.10.2017 (in WMP No.32189 of 2017) pending disposal of the above writ petition 29813/17 respectively.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.G.R.LAKSHMANAN Advocate for the petitioner in all the petitions the court made the following order:-

(Order of the Court was made by S.Manikumar,J)

Granting interim order in Writ Miscellaneous Petition Nos.32185 to 32189 of 2017, would have the effect of granting the main relief prayed for in W.P.Nos.29809 to 29813 of 2017, which the Hon'ble Supreme Court in **State of U.P., v. Private Secretaries & personal Assistants' Brotherhood, High Court, Allahabad**, reported in **2001 (9) SCC 644**, held that the High Court ought not to have passed the interim orders, which had the effect of allowing the writ petition. Therefore, stay prayed for is declined and consequently, **Miscellaneous Petitions are dismissed.**

-sd/-
21/11/2017
/ TRUE COPY /

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

TO

STATE BANK OF INDIA,
DB DIVISION, COIMBATORE MAIN BRANCH,
STATE BANK OF INDIA ROAD, COIMBATORE 641 018

C.C. to M/S.G.R.LAKSHMANAN Advocate on payment of necessary charges

The Government Advocate, High Court, Madras - 104.

Order

in
WMP.Nos.32185 to 32189/2017

in
WP.Nos.29809 to 29813/2017

Date :21/11/2017

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