IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Friday, the Twenty Fourth day of November Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE M.DURAISWAMY

REV.APPLICATION No.139 of 2017

IN AS.No.817 of 2003

REGINA MARY @ SISTER MARY CONCORDIA [APPELLANT]

Vs

1 MARY JECINTHA [RESPONDENTS]

2 JOSEPH MARY

3 CECILY

4 MARY CELINE

5 DOMINIC SAVIO

6 FATHER JOHN BOSCO,

7 STANLEY LOURD @ XAVIER,

8 KALAIMAGAL SABHA,
REP. BY GENERAL MANAGER,
67-A, NEW PALLIPALAYAM ROAD,
KOMARAPALAYAM, SALEM DISTRICT.

Review Petition against the Judgement and Decree dated 27/06/2012 passed by THE HON`BLE MR JUSTICE S.PALANIVEL on the file of this Hon'ble Court [in REV.APPLICATION No.139 of 2017]

Order : This appeal coming on for hearing on today and upon perusing the grounds of appeal, the judgment and decree of the lower court, and the material papers in the suit, and upon hearing the arguments of M/S. CHITRA SAMPATH, Senior Counsel M/S.T.S.BASKARAN, Advocate for the Appellant, the court made the following order:-

Mrs.Chitra Sampath, learned Senior counsel appearing for the Review Applicant under takes to pay the batta in respect of the respondents 2, 4, 6 and 7 and also comply with the defects pointed out by the Registry on or before 27.11.2017.

2. On compliance, the Registry is directed to issue notice to the respondents returnable in four weeks. Private notice is also permitted in respect of the fourth respondent.

3.1 Mrs.Chitra Sampath, learned Senior counsel submitted that the second respondent in the first appeal has filed the above Review Application to review the judgment and decree passed in A.S.No.817 of 2003, dated 27.06.2012. Further, the learned Senior counsel submitted that though this Court had dismissed the appeal in respect of respondents 2 and 4 on 15.06.2010, however, by its judgment and decree dated 27.06.2012, this Court had allowed the appeal in *toto* without taking into consideration, the earlier order passed on 15.06.2010.

3.2 Further, the learned Senior counsel submitted that pursuant to the judgment and decree passed in first appeal, the appellant has filed a final decree application in I.A.No.180 of 2013 in O.S.No.24 of 1998 on the file of the II Additional Sub Court, Villupuram, and the final decree application is posted for hearing on 04.12.2017. In these circumstances, the learned Senior counsel submitted that an order of stay of all further proceeding in I.A.No.180 of 2013 may be granted.

4. In view of the submissions made by the learned Senior counsel appearing for the review applicant, there shall be an order of interim stay.

Post the matter after service of notice.

-sd/-
24/11/2017

/ TRUE COPY /

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

TO

1 THE II ADDITIONAL SUBORDIANTE
JUDGE, VILLUPURAM.

+ 2 C.C. to M/S.T.S.BASKARAN Advocate SR.NO.14967

Order

in

REV.APPLICATION No.139 of 2017

IN AS.No.817 of 2003

Date :24/11/2017

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
RR 28/11/2017