

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Friday, the Ninth day of June Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE R.SUBBIAH

and

THE HON`BLE MR JUSTICE M.S. RAMESH

CMP No.1473 of 2017

IN AS.35/2017

RATHINASAMY

[PETITIONER]

Vs

1 SELVAKUMARASAMY

[RESPONDENTS]

2 MUTHUKUMAR

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant interim stay of all further proceedings pursuant to the judgment and Decree dated 21/11/2013 made in OS.No.433 of 2011 on the file of V Additional District and Sessions Judge, Coimbatore, (in CMP No.1473 of 2017 IN AS.35/2017)

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.HEMA SAMPATH SENIOR COUNSEL FOR M/S.S.GUNALAN, Advocate for the petitioner and of MR. KUMARARAJA ADVOCATE on behalf of the 1 AND 2 Respondents the court made the following order:-

When the matter came up on 07.03.2017, this Court granted interim stay for a period of four weeks on condition that the appellant shall deposit a sum of Rs.1,50,000/- with proportionate interest. Again when the matter came up on 27.04.2017, it was represented by the learned counsel for the appellant that the the appellant has deposited a sum of Rs.18 lakhs on 16.03.2017 and he has to deposit Rs.4,95,000/- towards interest; thus, he sought further time. Hence, this Court granted further time till 02.06.2017 to the appellant to make the said deposit. Again this matter was brought before this Court on 16.03.2017 under the caption 'For Being Mentioned' and the learned counsel for the appellant sought for modification of the interim order. This Court rejected the request of the appellant for modification, however, granted further time.

2.Today, when the matter is taken up for consideration, the learned counsel for the appellant produced an affidavit stating that the balance amount of Rs.4,95,000/- towards interest has also been deposited by the appellant.

3.Since the conditional order has been complied with, the interim stay already granted is made absolute.

-sd/-
09/06/2017

/ TRUE COPY /

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

TO

1 THE V ADDITIONAL DISTRICT
AND SESSIONS JUDGE,
COIMBATORE.

C.C. to M/S.S.GUNALAN Advocate sr.7462

C.C. To MR. KUMARARAJA, ADVOCATE ON PAYMENT OF NECESSARY CHARGES

Order

in
CMP.1473/2017

in
AS.35/2017

Date : 09/06/2017

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
T.R (08/03/2017)
RP 21/06/2017