

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 25.04.2018

Coram

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

W.A.No.1099 of 2016
and C.M.P.No.14211 of 2016

P.Arulmozhi ... Appellant
vs.

1. The District Collector,
Dharmapuri District,
Dharmapuri.
2. The Tahsildar,
Dharmapuri District,
Dharmapuri.
3. The Inspector of Police,
All Women Police Station,
Salem bye pass, Dharmapuri District,
Dharmapuri.
4. A. Amala
5. Angamuthu

..... Respondents

This Writ Appeal is filed under clause 15 of the Letters Patent against the order dated 28.07.2016 made in W.M.P.No.22524 of 2016 in W.P.No.26270 of 2016 on the file of this Court.

- i) Stay the operation of the impugned order of the 2nd respondent in Na.Ka.2541/16/A5 dated 14/07/2016 above WP.No. 26270/16 respectively.
- ii) Issue a writ of certiorari Calling for records relating to the impugned order of the second respondent in Na.Ka.2541/2016/A5 dated 14.7.2016 and quash the same as highly illegal and without authority and quash the same.

For Appellant : Mr.Ralph V.Manohar
For Respondents : Mr.N.Manikam, G.A. - R1 to R3
No appearance - R4
Mr.Prakash Adiadam - R5

JUDGMENT

(Judgment of the Court was delivered by R.SUBRAMANIAN,J.)

Challenge in this appeal is the interim order passed by the learned single Judge granting an order of stay on condition that the petitioner should deposit a sum of Rs.65,000/-.

2. The Writ Petition has been filed challenging the order of attachment made by the second respondent for arrears of maintenance payable to Ms.Amala. The petitioner in the writ petition has claimed that Angamuthu, who is her brother, had settled the property in her favour on 13.08.2015 itself. The Writ Petition is pending. While admitting the above appeal, an interim order was passed directing the appellant to deposit a sum of Rs.25,000/- with the second respondent. The said order has been complied with.

3. Today an affidavit dated 22.04.2018 has been filed by the appellant stating that the entire arrears of maintenance payable to Ms.Amala, wife of Angamuthu has been paid by the said Angamuthu and there are no arrears as of today. The said affidavit is placed on record.

4. In view of the fact that the entire arrears of maintenance has been paid, the stay granted by the learned single Judge vide order dated 28.07.2016 will come into force and the same is made absolute till the disposal of the Writ Petition.

5. The Writ Appeal is disposed of with the above observations. No costs. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(CS VIII)

//True copy//

Sub Assistant Registrar

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To

1. The District Collector,
Dharmapuri District,
Dharmapuri.
2. The Tahsildar,
Dharmapuri District,
Dharmapuri.

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3. The Inspector of Police,
All Women Police Station,
Salem bye pass, Dharmapuri District,
Dharmapuri.

+2cc's to Mr.Ralph V.Manohar, Advocate SR.No.30651
+1cc to Government Pleader SR.No.31745

W.A.No.1099 of 2016
and C.M.P.No.14211 of 2016

KAN(CO)
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