



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Ninth day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mrs Justice PUSHPA SATHYANARAYANA
and
The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMP(MD) No.1530 of 2018
IN
AS(MD) No.29 of 2017

A.SOLOMON ... PETITIONER/PETITIONER/APPELLANT

Vs

M.MAHESH KUMAR ... RESPONDENT/RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to modify the condition passed in 7.12.2017 in C.M.P. (MD) No. 1717 of 2017 in A.S. MD) No. 29 of 2017 and thus render justice.

Prayer in C.M.P. (MD) No. 1717 of 2017:-

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to stay of all further proceedings in O.S.No.78 of 2014 on the file of 3rd Additional District Judge, Tirunelveli, pending disposal of the above appeal.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.T.A.EBENEZER, Advocate for the petitioner and Mr.H.ARUMUGAM on behalf of the Respondent the court made the following order:-

Order of the Court was made by PUSHPA SATHYANARAYANA,J)

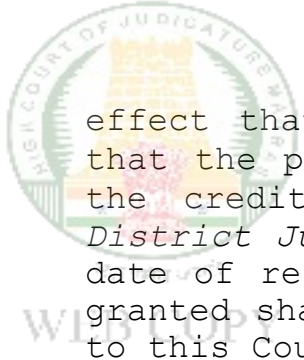
This petition has been filed to modify the condition imposed by this Court in C.M.P(MD)No.1717 of 2017, dated 07.12.2017.

2. The learned counsel appearing for the petitioner/defendant submitted that as the petitioner/defendant is unable to mobilize funds, seeks to modify the earlier order passed on 07.12.2017.

3. Heard the learned counsel appearing on either side.

<https://hcservices.ecourts.gov.in/hcservices/>

4. We are inclined to modify the order dated 07.12.2017 to the



effect that there shall be an order of interim stay on condition that the petitioner/defendant **deposits 25% of the decree amount** to the credit of O.S.No.78 of 2014 on the file of III-Additional District Judge, Tirunelveli, within a period of four weeks from the date of receipt of copy of this order, failing which, interim stay granted shall stand automatically vacated without further reference to this Court.

sd/-
09/10/2018

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE III ADDITIONAL DISTRICT JUDGE,
TIRUNELVELI.

+1. C.C. to Mr.T.A.EBENEZER Advocate SR.No.19203

ORDER
IN
CMP (MD) No.1530 of 2018
IN
AS (MD) No.29 of 2017
Date :09/10/2018

ps
AE/JC/SAR4/15.10.2018/2P/3C