



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2018

WEB COPY

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.M.A (MD) .No.368 of 2018
and
C.M.P. (MD) .No.4818 of 2018

1.R.Hariharan

2.H.Jeyasri

... Appellants /
Respondents/ Defendants

Vs.

R.Sivasubramani

... Respondent /
Petitioner / Plaintiff

PRAYER:- Appeal filed under Order 43 Rule 1(Q) of Civil Procedure Code, praying to call for the records relating to the orders, dated 26.04.2017 and 07.10.2017, passed in I.A.No.107 of 2017 in O.S.No.76 of 2017 on the file of the Principal District Judge, Dindigul and set aside the same.

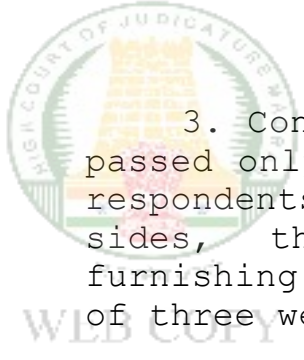
For appellants : Mr.N.Mohan

For respondent : Mr.D.Venkatesh

JUDGMENT

This appeal has been filed by the appellants / defendants challenging the orders passed by the Court below directing them to furnish security to the suit claim and attaching the property for non furnishing of security to the suit claim.

2. When the matter is taken up for hearing today, the learned counsel appearing for the appellants fairly submitted that the appellants are ready to furnish security for the suit claim within a period of three weeks and hence, requested to raise the attachment. The learned counsel appearing for the respondent also submitted that in the event of furnishing of security, the attachment may be raised.



3. Considering the fact that the order of attachment has been passed only due to non furnishing of security by the appellants / respondents and also in view of the above submissions of both sides, the Court below is directed to raise the attachment, on furnishing security by the appellants / defendants within a period of three weeks from the date of receipt of a copy of this order.

4. Considering the urgency expressed by both sides, the Court below is directed to dispose of the suit itself within a period of six months from the date of receipt of a copy of this order.

5. This Civil Miscellaneous Appeal is accordingly allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To

1.The Principal District Judge,
Motor Accident Claims Tribunal,
Dindigul.

2.The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.(2 COPIES)

+1cc to Mr.N.MOHAN, Advocate, SR.No.68924

+1cc to Mr.D.VENKATESH, Advocate, SR.No.68901

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