



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

Monday, the Third day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice T.RAVINDRAN

CMP(MD) No.10730 of 2018

IN

SA(MD) No.381 of 2018

A.MUTHU

... PETITIONER/APPELLANT

Vs

1 THE BRANCH MANAGER,
HDFC BANK,
D.NO.29, NEAR CIRCUIT HOUSE,
KAMARAJAR SALAI, COIMBATORE TOWN.

2 THE GENERAL MANAGER,
TNSTC, TRICHY BYE PASS ROAD,
DINDIGUL TOWN, DINDIGUL DISTRICT.

3 THE SECRETARY,
RMTC WORKERS CO OPERATIVE HOUSING SOCIETY,
TRANSPORT NAGAR, ALAMARATHUPATTI POST,
DINDIGUL - MADURAI ROAD,
DINDIGUL TALUK, DINDIGUL DISTRICT.

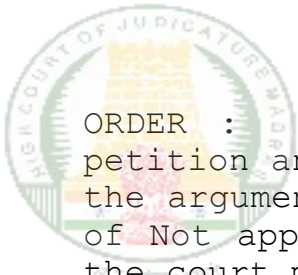
4 THE SPECIAL OFFICER,
RMTC WORKERS CO OPERATIVE HOUSING SOCIETY,
NEAR KANNA PAL PANNAI, DINDIGUL TOWN,
DINDIGUL DISTRICT.

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to suspend the judgment and decree in A.S.No.51 of 2015 dated 02.06.2017 passed by the Additional Subordinate Judge, Dindigul reversing the judgment and decree in O.S.No.50 of 2008 on the file of the Principal District Munsif Court, Dindigul dated 15.04.2015 till the disposal of second appeal.

Prayer in SA(MD). 381/ 2018 :

To allow this second appeal by setting aside the judgment and Decree of Additional Subordinate Judge, Dindigul in AS No.51 of 2015 dated 02.06.2017 and restore the decree and judgment of O.S.No.50 of 2008 dated 15.04.2015 on the file of Principal District Munsif, Dindigul and thus render justice.



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.K.MURALEEDHARAN, Advocate for the petitioner and of Not appeared for R3 either in person or through by an Advocate, the court made the following order:-

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The suit was filed by the appellant herein was originally decreed but reversed by the first appellate Court. Questioning the same, this Second Appeal has been filed. When the suit filed by the appellant has been dismissed, the question of suspending such decree does not arise. This Civil Miscellaneous Petition is dismissed. But this Court permits the appellant herein for taking out a fresh application with an appropriate prayer. Liberty is granted.

sd/-
03/12/2018

/ TRUE COPY /

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

TO

1 THE ADDITIONAL SUBORDINATE JUDGE,
DINDIGUL.

2 THE PRINCIPAL DISTRICT MUNSIF, DINDIGUL.

ORDER
IN
CMP(MD) No.10730 of 2018
IN
SA(MD) No.381 of 2018
Date :03/12/2018

JM/MMS/SAR 3/13.12.2018/2P/3C