



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (NPD) (MD) .No.1866 of 2016
and

C.M.P. (MD) Nos.9730 and 8945 of 2016

1. Tirunelveli Diocesan Trust Association,
through its Manager,
Palayamkottai.
 2. The Correspondent,
Schaffter Higher Secondary School,
Tirunelveli Junction.
 3. Schaffter Higher Secondary School,
Tirunelveli Junction,
through its Headmaster.
 4. Soundara Rajan Durai
P.G. Assistant (Maths)
Scaffter Higher Secondary School,
Tirunelveli Junction,
 5. Lawrence,
Maths Assistant,
Schaffter Higher Secondary School,
Tirunelveli Junction.
 6. Jesudoss,
Record clerk,
Schaffter Higher Secondary School,
Tirunelveli Junction.
- ... Petitioners/Petitiones/
Respondents/Defendants 3 to 8

Vs.

- 1.Sathyasingh
 - 2.Jeybarani
- ... Respondents/Respondents/
Petitioners/Plaintiffs

PRAYER: Petition filed under Section 115 of Civil Procedure Code to set aside the order passed in E.A.No.35 of 2016 in E.P.No.246 of 2013 in O.S.No.390 of 2008 dated 10.08.2016 on the file of Principal Subordinate Judge, Tirunelveli.



For Petitioners
For Respondents

: Mr.S.Chellapandian
: Mr.J.Ashok

WEB COPY

ORDER

The revision petitioners are the defendants 3 to 8 in O.S.No.390 of 2008 on the file of the Principal Sub Court, Tirunelveli. They suffered a decree. The decree holders filed E.P.No.246 of 2013 for enforcing the decree. In the said E.P., revision petitioners herein filed E.A.No.35 of 2016 for stay. The Executing Court dismissed the said E.A., since no appeal had been filed in the meanwhile. The order dismissing the E.A., is questioned in this Civil Revision Petition.

2. During the pendency of this Civil Revision Petition, the revision petitioners had deposited some substantial amounts before the Court below. Taking note of the said conduct of the revision petitioners, this Court directs that E.P.No.246 of 2013 on the file of the Principal Sub Judge, Tirunelveli, shall be kept in abeyance for a period of four weeks. The decree holders are permitted to withdraw the amount deposited by the revision petitioners. This can be done without notice to the revision petitioners.

3. With this direction, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-)

To:

The Principal Subordinate Judge,
Thirunelveli District.

+ 1 CC TO Mr.J.ASHOK, ADVOCATE IN SR No. 87671

PNN

TE/RP/SAR-1 : 30/10/2018 : 2P/3C

ORDER MADE IN

C.R.P. (NPD) (MD) .No.1866 of 2016 and
C.M.P. (MD) Nos.9730 and 8945 of 2016

28.09.2018