



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

Thursday, the First day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CMP(MD) No.10774 of 2018

IN

SA(MD) No.383 of 2018

A.SOOSAI MANICKAM

... PETITIONER/APELLANT

Vs

1 THE BRANCH MANAGER,
HDFC BANK, DOOR.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 PANNAL, 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.54 of 2015 dated 02.06.2017 passed by the Additional Subordinate Judge, Dindigul reversing the Judgment and Decree in O.S.No.120 of 2008 on the file of the Principal District Munsif Court, Dindigul dated 15.04.2015 till the disposal of second 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.K.MURALEEDHARAN, Advocate for the petitioner and of MR.V.K.KRISHNAMOORTHY on behalf of the 1st Respondent, while admitting the S.A., the court made the following order:-



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 the 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/-
01/11/2018

/ 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.10774 of 2018
IN
SA (MD) No.383 of 2018
Date :01/11/2018

MSI/RR/SAR-II/22.11.2018-2P/3C