

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Friday, the Twelfth day of April Two Thousand Nineteen

PRESENT

THE HON`BLE MS. JUSTICE P.T.ASHA

CMP NO.9488 OF 2019

IN CRP.SR.NO.49590 OF 2019

S.RAJENDRAN

[PETITIONER]

Vs

1 K.MANIVANNAN
2 R.CHELIZHAN
3 P.SUBRAMANI
4 P.T.RAJA
5 A.P.SHANMUGAM

[RESPONDENTS]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to dispense with the production of certified copy of fair and decreetal order dt. 11/12/2018 in REA 151/2012 in REP 58/2006 in OS No.166/2001 on the file of the Subcourt, sankari for the present (in CMP.9488/19) in CRP.SR.NO.49590/19.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.K.N.NATARAAJ, Advocate for the petitioner the court made the following order:-

When the matter was called, the learned counsel for the petitioner was directed to bring Mr.Marudhachala Moorthy, learned counsel who had entered appearance for the respondent in the connected SA.No.1043 of 2013. In response to the request of this Court, Mr.Marudhachala Moorthy, learned counsel had appeared before this Court and would inform the Court that he is returning the brief in Second Appeal No.1043 of 2013.

2. Considering the urgency, this Court has passed orders dispensing with the production of certified copy of fair and decreetal order dated 11/12/2018 in REA.No.151 of 2012 in REP.No.58 of 2006 in O.S.No.166 of 2001 on the file of the Sub Court, Sankari.

Registry is directed to number the Civil Revision Petition. Considering the fact that the delivery has been ordered by 15.04.2019, this Court proceeded to pass order in the above CMP and the Registry shall number the CMP and the CMA.

3. It is seen that the stay was initially granted when the Second Appeal was admitted. Further, ultimately if revision petitioner succeeds in the Second Appeal, in the event of property being taken delivery of he would be put to severe prejudice.

4. In view of the fact above, this Court is inclined to grant an order of stay and accordingly, the operation of the order dated 11.12.2018 in REA.No.151 of 2012 in REP.No.58 of 2006 in O.S.No.166 of 2001 on the file of the learned Subordinate Judge, Sankari is stayed until the disposal of the Second Appeal.No. 1043 of 2013.

-sd/-

12/04/2019

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

THE SUBORDINATE JUDGE, SANKARI.

+2 C.C. to M/S.K.N.NATARAAJ Advocate SR.No.5399

Order

in

CMP.9488/2019

IN CRP.SR.NO.49590 OF 2019

Date :12/04/2019

From 26.2.2001 the Registry is issuing certified copies of the Interim Orders in this format
SDR 16.04.2019 (IT)