

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Twenty Eighth day of February Two Thousand Nineteen

PRESENT

THE HON`BLE MR JUSTICE M.M.SUNDRESH

and

THE HON`BLE MR.JUSTICE C.SARAVANAN

CMP.Nos.10239 & 11028 of 2017

in AS.Nos.266 & 294 of 2017

DEEP JYOTHI PROJECTS PVT LTD [PETITIONER IN CMP.10239/17 &
REP BY ITS AUTHORIZED SIGNATORY, 10th RESPONDENT IN CMP.11028/17]
K.SIVAKUMAR MGF HOUSE 17-B,
AASAF ALI ROAD, NEW DELHI-002.

Vs

1 SMT.S.RUKUMANI [1 & 2 RESPONDENTS IN BOTH THE
PETITIONS]

2 SMT.V.SANDHAMANI

MR.CHINNA KARUPPANNA KONAR (DECEASED) .

3 MR.ESWARAN [3RD RESPONDENT IN CMP.10239/17 &
1st PETITIONER IN CMP.11028/17]

4 MR.SUBRAMANIAN [4TH RESPONDENT IN CMP.10239/17 &
3RD RESPONDENT IN CMP.11028/17]

5 MR.GOPAL [5TH RESPONDENT IN CMP.10239/17 &
4TH RESPONDENT IN CMP.11028/17]

6 MR.E.SURESHKUMAR [6TH RESPONDENT IN CMP.10239/17 &
2ND PETITIONER IN CMP.11028/17]

7 MR.S.AYYASAMY [7TH TO 11 RESPONDENTS IN CMP.10239/17 &
5 TO 9 RESPONDENTS IN CMP.11028/17]

S.RAJENDRAN (DECEASED) .

8 MR.S.YAGNESHWARAN

9 MR.G.PANEERSELVAM

10 MINOR G.JEEVANANDHAM

REPRESENTED BY HIS FATHER MR.GOPAL

11 SMT.S.KANAGAMANI

Petitions praying that in the circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to

(i)stay the judgment and decree passed on 23/11/2016 in OS.No.623 of 2009 on the file of the 1st Additional District Judge, Coimbatore (in CMP.No.10239/2017)and

(ii)Grant interim stay of final decree proceedings in OS.No.623 of 2009 pending on the file of the 1st Additional District and Sessions Judge, Coimbatore dt.23/11/2016 (in CMP.No.11028/2017) pending disposal of the above AS.No.294/2017 respectively.

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.KAUSHIK N.SHARMA, Advocate for the PETITIONER IN CMP.10239/17 & 10th RESPONDENT IN CMP.11028/17 and of M/S.K.SUDHAKAR, Advocate for the 1 & 2 RESPONDENTS IN BOTH THE PETITIONS and of M/S.A.THIYAGARAJAN, Advocate for the 3, 6 RESPONDENTS IN CMP.10239/17 & 1, 2 PETITIONERS IN CMP.11028/17 the court made the following order:-

(Order of the Court was made by M.M.SUNDRESH, J)

In these cases, this Court has granted an order of interim stay of passing of final decree alone on 13.07.2017 and 14.07.2017 respectively.

2.In view of the submission made by the learned counsel on either side that the appeals may be taken up for final hearing, interim stay already granted is made absolute and these petitions are ordered.

Post the appeals for final hearing on 05.03.2019.

-sd/-

28/02/2019

/ TRUE COPY /

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

TO

1 THE I ADDITIONAL DISTRICT
JUDGE, COIMBATORE.

2 THE 1ST ADDITIONAL DISTRICT AND SESSIONS JUDGE,
COIMBATORE

C.C. to M/S.KAUSHIK N.SHARMA Advocate on payment of necessary
charges

C.C. to M/S.K.SUDHAKAR, Advocate, on payment of necessary charges

C.C. to M/S.A.THIYAGARAJAN, Advocate, on payment of necessary
charges

Order

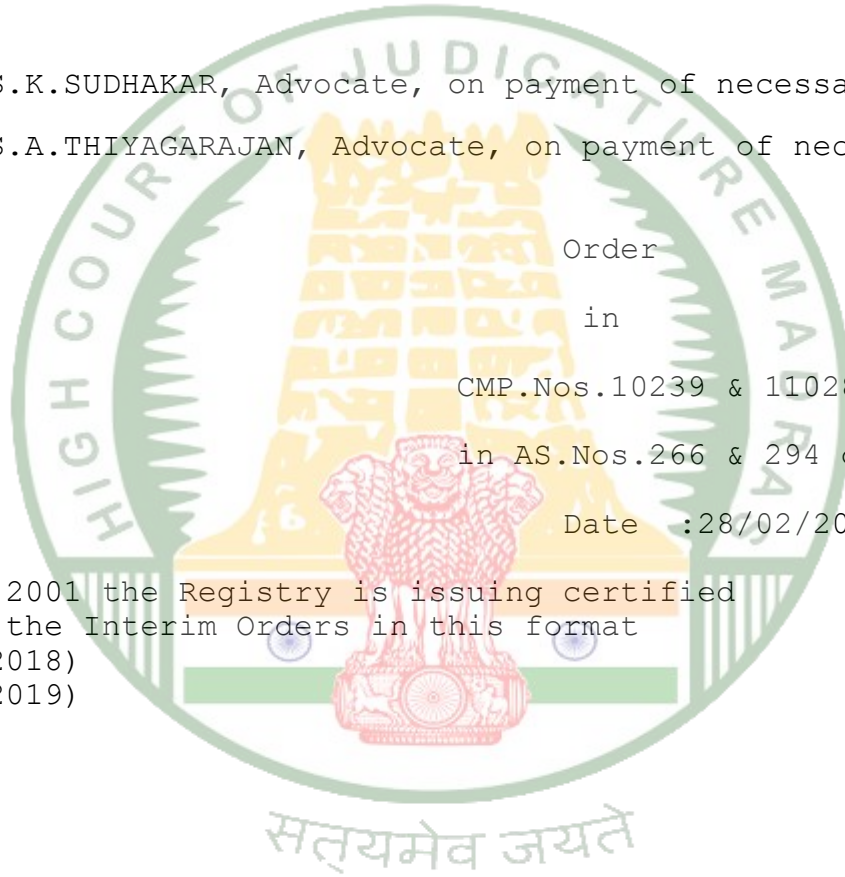
in

CMP.Nos.10239 & 11028 of 2017

in AS.Nos.266 & 294 of 2017

Date :28/02/2018

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
KP(12/11/2018)
KP(04/03/2019)



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