



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

Thursday, the Twenty Ninth day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice K.RAVICHANDRABAABU

REV.APLC(MD) No.146 of 2019
and
CMP(MD)No.7933 of 2019

KARUNAKARAN

... APPELLANT/RESPONDENT

Vs

JAWAHAR NAGAR N.G.O.COOPERATIVE,
BUILDING SOCIETY 0.1847,
THROUGH ITS SECRETARY,
OFFICE AT JAWAHAR NAGAR,
TIRUNELVELI-7.

... RESPONDENT/PETITIONER

Pleased to review the order dated 03-07-2019 passed by this Honourable Court in CRP(MD)No.600 of 2013 and allow the Review Application.

Prayer in CRP(MD) . 600/ 2013 :

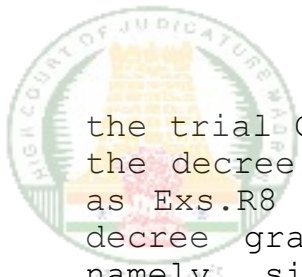
To set aside the order and decreetal order dated 16.11.2012 made in C.M.A No.2 of 2012 on the file of Principal Sub-Court, Tirunelveli confirming the order passed in I.A.No.149 of 2006 in O.S.No.93 of 2002 on the file of II Additional District Munsif Judge, Tirunelveli.

Prayer in CMP(MD) . 7933/ 2019 :

To Stay all further proceedings in I.A.No.149 of 2006 in O.S.No.93 of 2002 on the file of District Munsif Court, Tirunelveli pending disposal of this Review Application .

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.S.MEENAKSHI SUNDARAM, Senior Counsel for Mr.N.GA.NATRAJ, Advocate for the Appellant and of No Appearance either in person or by an Advocate for the Respondent, the court made the following order:-

The learned Senior Counsel appearing for the appellant submitted that the finding rendered at paragraph No.6 with regard to the decree granted in O.S.No.65 of 2006, on the file of the District Munsif Court, Tirunelveli as if it was not brought to the notice of



the trial Court, is factually incorrect, since the certified copy of the decree and judgment passed in O.S.No.65 of 2006 has been marked as Exs.R8 and R9. He further contended that even otherwise, the decree granted in O.S.No.65 of 2006 is in respect of property, namely, situated at New Colony Tamil Nagar, whereas the present subject matter property is situated at Jawar Nagar. Therefore, he contended that the said judgment and decree made in O.S.No.65 of 2006 will not have a bearing on the claim made by the petitioner.

2.Considering the above-stated facts and circumstances, there shall be an order of interim stay of the order passed by this Court in C.R.P(MD)No.600 of 2013 dated 03.07.2019 for a period of eight weeks.

3.Notice to the respondents returnable by four weeks.

4.Post the matter after four weeks.

sd/-
29/08/2019

/ TRUE COPY /

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

TO

- 1.THE PRINCIPAL SUBORDINATE JUDGE, TIRUNELVELI
- 2.THE II ADDITIONAL DISTRICT MUNSIF, TIRUNELVELI.
- 3.THE DISTRICT MUNSIF , TIRUNELVELI.

+1. C.C. to Mr.N.GA.NATRAJ Advocate SR.No.14337

ORDER
IN
REV.APLC(MD) No.146 of 2019
and
CMP(MD)No.7933 of 2019
Date :29/08/2019

TK/VR/SAR.3/30.08.2019/2P/5C