



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.08.2025

CORAM:

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CMP.No. 15877 of 2016

in

A.S.No. 592 of 2016

1.T.Ganesan
2.G.Kumari

....Petitioners

Versus

L. Wilfred

...Respondent

Prayers:

CMP.No.15877 of 2016: filed under Order XLI Rule 5(1) Read With Section 151 of the Code of Civil Procedure, 1908 praying to stay the operation and execution of the Judgment and Decree in O.S.No. 8425 of 2010 dated March 22, 2016 passed by II Additional Judge, City Civil Court, Chennai.

Appeal Suit No.592 of 2016: filed under Section 96 Read With Order XLI of the Code of Civil Procedure, 1908 praying to set aside the Judgment and Decree in O.S.No. 8425 of 2010, dated March 22, 2016 passed by II Additional Judge, City Civil Court, Chennai.



For Petitioners : Mr.V.Guhan
For Mr.S.D.Ramalingam
For Respondent : Mr.R.Krishnamoorthy
For M/s.G.Saranya

ORDER

Mr.V.Guhan, representing Mr.S.D.Ramalingam, learned Counsel on record for the petitioners and Mr.R.Krishnamoorthy, representing M/s.G.Saranya, learned Counsel on record for the sole respondent are before this Court.

2.It is apposite to state that when the matter was listed before this Court on 04.06.2025, 17.06.2025 and 10.07.2025, this Court has observed as follows:-

04.06.2025:

“Mr.D.R.Sivakumar, learned Counsel appearing for the appellants seeks short accommodation.

2.Acceding to his request, post this matter on 17.06.2025”.

17.06.2025:

“The learned Counsel for the appellants submits that he is unable to contact the appellants and seeks short accommodation.

2.Acceding to his request, post this matter on 10.07.2025. It is made clear that No Further Adjournment will be granted on that day”.

10.07.2025:

“Mr.V.Guhan, learned Counsel on record for the appellants submits that he is unable to contact the appellants and seeks short accommodation to get instructions from the appellants.

2.At the request of the learned Counsel appearing for the appellants, this appeal suit is adjourned to 01.08.2025. It is made clear that No Further Adjournment will be granted on that day”.

3.Mr.V.Guhan, learned representing Counsel on record for the



petitioners is not ready to argue the matter despite sufficient opportunities granted by this Court.

4. On perusal of the records, it is seen that this Court granted an order of interim stay in CMP.No.15877 of 2016 dated September 30, 2016, thereby the operation and execution of the Judgment and Decree in O.S.No. 8425 of 2010 dated March 22, 2016 passed by II Additional Judge, City Civil Court, Chennai, was made absolute on July 30, 2020.

5. Since the petitioners are not ready to argue the matter, the Interim Stay which was made absolute by this Court on July 30, 2020, shall stand vacated.

6. In view of the facts and circumstances, this Appeal Suit is adjourned to **15.09.2025**.

7. Accordingly, this Civil Miscellaneous Petition is closed.

01.08.2025

MSM

Note: Registry is directed to list the Appeal Suit on **15.09.2025** for final hearing.

To
The II Additional Judge,
City Civil Court, Chennai.



WEB COPY



R. SAKTHIVEL, J.,

MSM

CMP.No. 15877 of 2016
in
A.S.No. 592 of 2016

01.08.2025