

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Monday, the Ninth day of March Two Thousand Twenty

PRESENT

THE HON`BLE MR JUSTICE R. SUBRAMANIAN

CMP No.5650 of 2020

IN SA.271/2020

A.SIVANESAN

[PETITIONER]

Vs

SELVAM

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant stay of Decree and Judgment made in AS.NO.34 of 2019, dated 04.11.2019 on the file of the Principal District Judge, Villupuram whereby modifying he Judgment and Decree dated 26.07.2018 passed in OS.No.169 of 2015 on the file of the Principal Subordinate Judge, Villupuram, (CMP.No.5650 of 2020) pending disposal of the above second appeal S.A.No.271 of 2020.

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.C.PRAKASAM, Advocate for the petitioner,the court made the following order:-

The petitioner seeks stay of operation of the decree and judgment in O.S.No.169 of 2015 on the file of the Principal Sub Court, Villupuram as modified in A.S.No.34 of 2019 on the file of the learned Principal District Judge, villupuram .

2. As a result of the judgment in the appeal, there is a decree for refund of advance in favour of the appellant. It is for the appellant to chose either to execute it or not.

3. Therefore, I do not think that there is anything to be stayed pending Second appeal. Hence this Civil Miscellaneous petition is dismissed as misconceived.

-sd/-
09/03/2020

/ TRUE COPY /

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

TO

1 THE PRINCIPAL DISTRICT JUDGE
VILLUPURAM

2 THE PRINCIPAL SUBORDINATE JUDGE,
VILLUPURAM

C.C. to Mr.C.PRAKASAM Advocate on payment of necessary charges

Order

in
CMP.5650/2020

in
SA.271/2020

Date :09/03/2020

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
RR (RS) 18/03/2020

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