

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Thirteenth day of August Two Thousand Twenty

PRESENT

THE HON`BLE MR.JUSTICE R.SUBRAMANIAN

CMP No.5875 of 2018

SA.No.230 of 2018

LATHA

[PETITIONER]

Vs

1 VIJAYA
2 SUMATHI

[RESPONDENTS]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay the operation of the Judgment and Decree passed by the Learned III Additional District and Sessions Judge, Gobichettipalayam, Erode District in A.S.No.13/2017 dated 06.10.2017 reversing the Judgment and Decree passed by the Learned Subordinate Judge, Sathiyamangalam passed in O.S.No.244/2015 dated 18.04.2017 pending SA.No.230 of 2018.

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.S.PARTHASARATHY, Advocate for the petitioner and of MR.N.MANOKARAN, Advocate for the respondent, the court made the following order:-

सत्यमेव जयते

ORDER

This petition has been filed, seeking to stay the operation of the judgment and decree passed by the learned III Additional District and Sessions Judge, Gobichettipalayam, Erode District in A.S.No.13 of 2017 dated 06.10.2017 reversing the judgment and decree passed by the learned Subordinate Judge, Sathiyamangalam passed in O.S.No.244 of 2015 dated 18.04.2017 pending disposal of the above said Second Appeal.

2. As a result of judgment of the lower Appellate Court, the suit in O.S.No.244 of 2015 stands dismissed. Therefore, there cannot be a stay of operation of a decree dismissing the suit. Hence, the stay petition is dismissed as ill conceived.

-sd/-
13/08/2020

/ TRUE COPY /

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

TO

1 THE III ADDITIONAL DISTRICT
AND SESSIONS JUDGE, GOBICHETTIPALAYAM,
ERODE DISTRICT.

2 THE SUBORDINATE JUDGE,
SATHIYAMANGALAM

C.C. to M/S.S.PARTHASARATHY Advocate on payment of necessary
charges

C.C. to M/S.N.MANOKARAN, Advocate on payment of necessary charges

Order

in

CMP.5875/2018

SA.No.230 of 2018

Date :13/08/2020

From 26.2.2001 the Registry is issuing certified
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RR 27/08/2020