

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Twenty Ninth day of October Two Thousand Twenty

PRESENT

THE HON`BLE MR JUSTICE R. SUBRAMANIAN

CMP No.11922 of 2020

IN SA.NO.559/2020

N.KUMARASAMY

[PETITIONER]

Vs

1 NAGAVALLI

[RESPONDENTS]

2 A.V.GANESH

3 SREENATH

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 dated 26.09.2019 passed by the Learned II Additional District Judge, Puducherry in AS.No.82 of 2018 reversing the judgment and decree dated 20.09.2018 passed by the Learned Principal Sub Judge, Puducherry in OS.No.179 of 2009 (CMP.11922/2020) pending disposal of the above Second Appeal.559/2020

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.R.THIAAGARAJAN, Advocate for the petitioner the court made the following order:-

As a result of the judgment of the Appellate Court, the suit by the appellant for specific performance stands dismissed and the alternative prayer for refund of advance amount is granted to the plaintiff/appellant. Therefore, the application for stay is wholly misconceived. Hence, the stay petition is dismissed leaving it to open to the petitioner to file appropriate petition.

-sd/-

29/10/2020

/ TRUE COPY /

TO

1 THE PRINCIPAL SUBORDINATE JUDGE,
PUDUCHERRY.

2 THE 2ND ADDITIONAL DISTRICT JUDGE,
PUDUCHERRY.

3 THE SECTION OFFICER,
VR SECTION, HIGH COURT, MADRAS 104.

Order

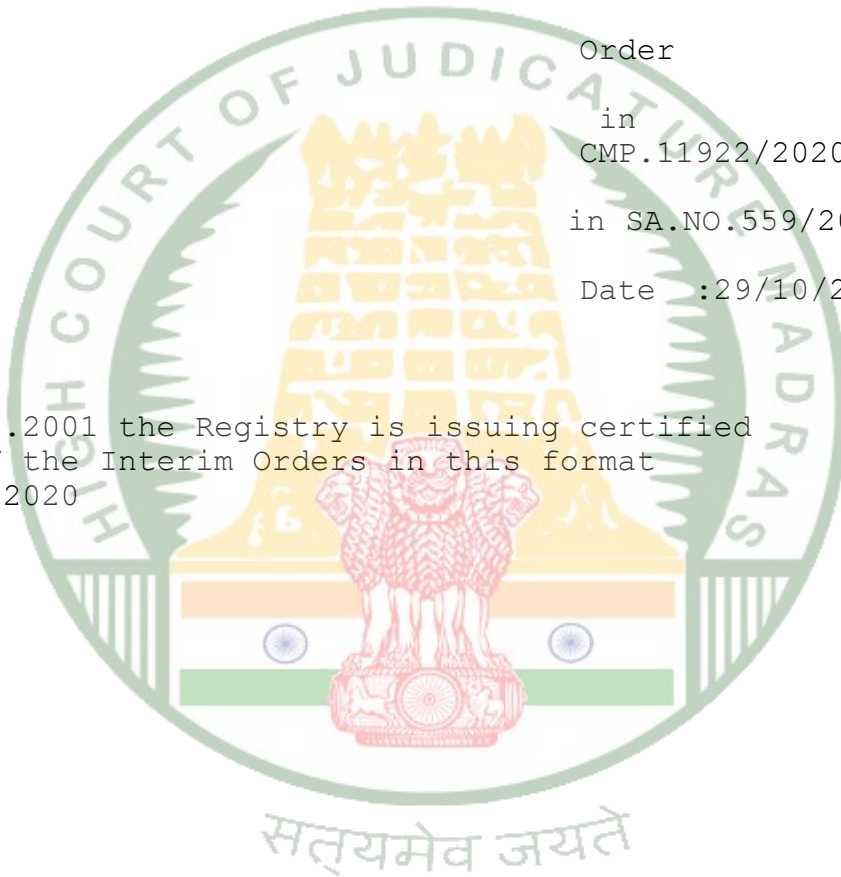
in

CMP.11922/2020

in SA.NO.559/2020

Date :29/10/2020

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
RRI 03/11/2020



WEB COPY