

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Friday, the Seventh day of August Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice R.MAHADEVAN

CMP NOS.11027 AND 12607 OF 2017

IN AS.NO.293 AND 330 OF 2017

1 M.S.RAFFIUDEEN [1 & 2 PETITIONERS IN CMP.11027/17
IN AS.NO.293/17]

2 R.SHAKEERA BEGUM

Vs

1 A.M.ADHIL BADUSHA [1st RESPONDENT IN BOTH THE PETITIONS]

2 SUCHARITHA ANAND [2ND RESPONDENT IN CMP.11027/17 AND
1ST PETITIONER IN CMP.11607/17
IN AS.NO.330/17]

3 K.SATHISH KUMAR [3RD RESPONDENT IN CMP.11027/17 IN AS.293/17
AND 2ND RESPONDENT IN CMP.12607/17
IN AS.NO.293/17]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay all further proceedings pursuant to the judgement and decree dated 17/03/2017 made in OS.No.2/2008 on the file of the District Judge of the Nilgiris at Uthagamandalam, in so far as the petitioners are concerned in respect of Clause (1) (iii) and Clause (2) of the impugned decree (in CMP.11027/17)and;

(ii) to stay the execution proceedings of the judgment and decree passed in OS.No.2/2008 on the file of the District Court Nilgiris at Udhagamandalam dt.17/03/2017 (in CMP.No.12607/17) pending disposal of the above appeal 330/17 respectively.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.V.RAJESH, Advocate for the petitioner in CMP.No.11027/17 in AS.No.293/2017 and MR.T.SUSINDRAN Advocate for the Petitioner in CMP.12607/2017 in AS.No.330/2017 and of MR.I.ABRAR MD.ABDULLAH Advocate for the 1st respondent in CMP.11027/17 and sole respondent in CMP.11607/2017 and MR.R.VASUDEVAN Advocate for 2 & 3 respondents in CMP.11027/17 the court made the following order:-

C O M M O N O R D E R

In C.M.P.No.11027 of 2017 in A.S.No.293 of 2017, on 19.07.2017, this Court passed the following order :

"Heard Mr.T.Murugamanicakam, learned Senior Counsel appearing for the appellants and Ms.Sripriya, learned counsel appearing for the respondents.

There will be stay of execution of the decree in O.S.No.2 of 2008 dated 17.03.2017, on the file of the District Court, Nilgiris, pending disposal of the appeal.

In view of the same, this Civil Miscellaneous Petition is ordered accordingly.

2. In view of the order passed in C.M.P.No.11027 of 2017 in A.S.No.293 of 2017, C.M.P.No.12607 of 2017 in A.S.No.330 of 2017 filed by the defendants 1 and 2, stands closed.

-sd/-

07/08/2020

/ TRUE COPY /

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

TO

THE DISTRICT JUDGE
OF THE NILGIRIS AT UDHAGAMANDALAM

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

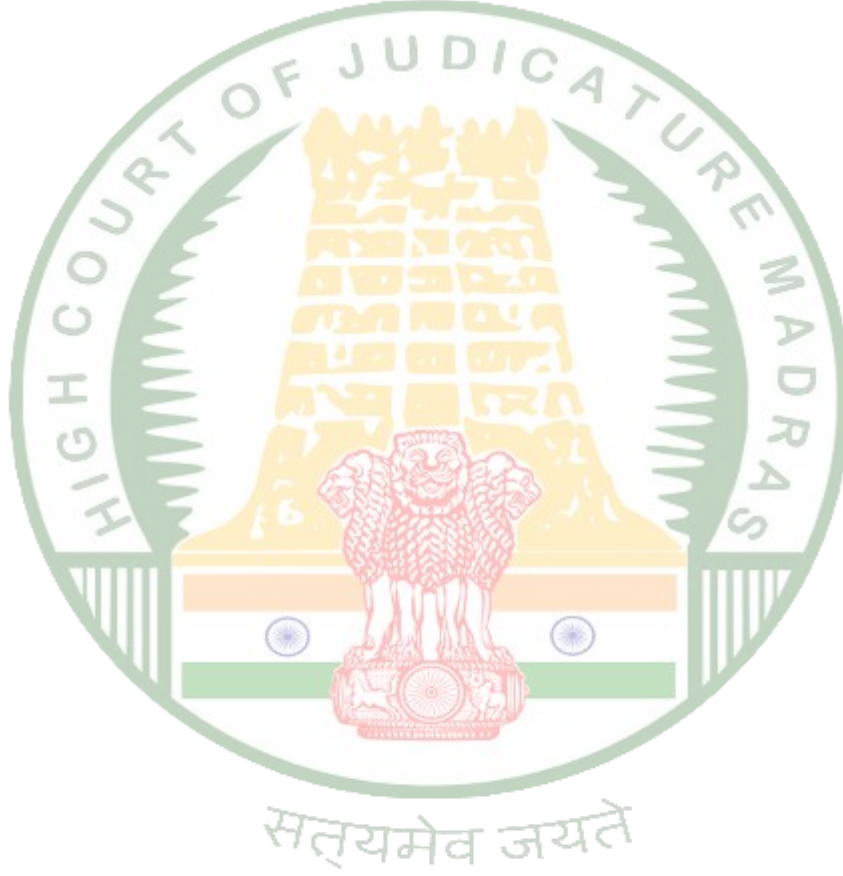
C.C. to MR.T.SUSINDRAN Advocate on payment of necessary charges

Order
in
CMP NOS.11027 AND 12607 OF 2017

IN AS.NO.293 AND 330 OF 2017

Date :07/08/2020

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
SDR 21/09/2020



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