



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Eighteenth day of February Two Thousand Twenty

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.1435 of 2020

IN

CRP(MD) No.233 of 2020

THE MANAGING DIRECTOR,
TAMILNADU STATE TRANSPORT CORPORATION LTD.,
PILLAI THANEER PANTHAL,
THIRUMAYAM ROAD, PUDUKOTTAI TOWN. ... PETITIONER/ PETITIONER

Vs

RENGARAJ (DIED)

1.KARUPPAIAH
2.MURUGESAN
3.ILAYARAJA ... RESPONDENTS/ RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Stay the further proceedings of the Execution in E.P.No. 6 of 2012 in M.C.O.P.No.87 of 2008 and directed the Sub Court, PUdukottai to release the bus bearing registration No.TN-55-N-6410 pending disposal of the above Civil Revision Petition and thus render justice.

Prayer in CRP(MD) . 233/ 2020 :

To prefer this Memorandum of Grounds of Civil Revision Petition against the impugned warrant dated 02.12.2019 in E.P.No. 6 of 2012 in M.C.O.P.No.87 of 2008 on the file of the Sub Court, Pudukottai.

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.P.M.VISHNUVARTHANAN, Advocate for the petitioner and of Mr.R.BALAJI, Advocate on behalf of the Respondents, the court made the following order:-

This Civil Miscellaneous Petition is filed to stay the further proceedings of the Execution in E.P.No.6 of 2012 in M.C.O.P.No.87 of 2008 and directed the Sub Court, Pudukottai to release the bus bearing registration No.TN 55 N 6410 pending disposal of the Civil Revision Petition.



2. On the side of the petitioner, it is stated that only the interest amount was kept pending for deducting TDS. In the meanwhile, the respondents filed an Execution Petition and warrant has been issued by the Court and that the petitioner is ready to deposit a sum of Rs.22,000/- (Rupees Twenty Two Thousand only), which is the E.P. amount and prayed the warrant to be stayed.

3. On the side of the respondents, it is stated that in the Execution Proceedings, the petitioner filed an Execution Application and that E.A. was dismissed only after that the petitioner has come forward with this Civil Revision Petition and only now the petitioner convey his readiness to deposit the amount and prayed the warrant need not be stayed.

4. Since the petitioner is willing to deposit the E.P. amount, the Warrant issued in E.P.No.6 of 2012 alone is stayed, till the disposal of the appeal, on condition that the petitioner shall deposit the entire E.P. amount with costs within a period of four weeks from the date of receipt of a copy of this order, failing which, the interim stay granted shall stand automatically vacated without any further reference to this Court.

5. This Civil Miscellaneous Petition is allowed on the above terms.

sd/-
18/02/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE SUBORDINATE JUDGE, PUDUKOTTAI.

+1. C.C. to M/S.P.M.VISHNUVARTHANAN Advocate SR.No.3330
+1. C.C. to Mr.R.BALAJI Advocate SR.No.3362

ORDER
IN
CMP(MD) No.1435 of 2020
IN
CRP(MD) No.233 of 2020
Date :18/02/2020

LS
TK/VR/SAR.1/19.02.2020/2P/4C