



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.1722 of 2020
IN
CRP(MD) No.300 of 2020

1 M.PARAMESWARAN
2 L.SIVAKUMAR
3 R.RAVIKUMAR

... PETITIONERS/ PETITIONERS

Vs

SAROJA

... RESPONDENT/ RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an order of interim stay of all further proceedings of the suit in O.S.No.633/2017 on the file of Sub Court, Tirumangalam pending disposal of the above CRP.

Prayer in CRP(MD) . 300/ 2020 :

To call for the records and set aside the petition and order in IA.No.3 of 2020 in OS.No.633 of 2017 on the file of Sub Court, Tirumangalam and allow this revision.

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.T.S.R.VENKATRAMANA, Advocate for the petitioners, the court made the following order:-

This Civil Miscellaneous Petition is filed to stay all further proceedings of the suit in O.S.No.633 of 2017 on the file of the Sub Court, Tirumangalam, pending disposal of the Civil Revision Petition.

2. On the side of the petitioners, it is stated that the petitioners are the tenants and filed a suit against the landlord for refund of the advance amount. The landlord has filed an agreement, wherein, the receipt of advance amount of Rs.4,00,000/- (Rupees Four Lakhs only) was mentioned, but, subsequently, the landlord withdrew the document and the petitioner filed a petition to impound the document for payment of Stamp duty and that petition was dismissed by the trial Court as the Court has no power to impound the document. A judgment of the Hon'ble Supreme Court



reported in 2009 (3) MLJ 409 (SC) [Avinash Kumar Chauhan Vs. Vijay Krishna Mishra] is cited by the petitioner and prayed that stay may be granted.

3. Hence, there shall be an order of interim stay till the disposal of the Civil Revision Petition and this Civil Miscellaneous Petition is allowed.

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,
THIRUMANGALAM.

+1 CC to M/s.T.S.R.VENKATRAMANA, Advocate (SR-3409[I] dated 18/02/2020)

ORDER
IN
CMP (MD) No.1722 of 2020
IN
CRP (MD) No.300 of 2020
Date :18/02/2020

MS/PN/SAR-1/19.02.2020/2P.3C