



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

Friday, the Twenty Second day of January Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon`ble Mr.Justice N.SESHASAYEE

CMP(MD) No.7075 of 2020

IN

CRP(MD) No.1089 of 2020

V.MARI

... PETITIONER/PETITIONER

Vs

S.RADHIKA

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to STAY all further proceedings in EP No. 147 of 2019 filed in RCOP No. 123 of 2011, pending on the file of the Additional district Munsif, Madurai.

Prayer in CRP(MD). 1089/ 2020 :

To issue a direction directing the Appellate Tribunal (Principal Sub Court), Madurai namely the Learned Principal sub court, Madurai to dispose of the stay application in IA no. 49 of 2020 filed in RCA No. 18 of 2020 within a time stipulated by this Honourable court.

ORDER : This petition coming up for orders on this day, 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, the court made the following order:-

At the instance of the learned counsel appearing for the petitioner, the matter is listed today under the caption "for being mentioned". It is mentioned that this Court has passed an order of stay, pending the execution petition in E.P.No.147 of 2019 in RCOP.No.123 of 2011 on the file of the Additional District Munif Court, Madurai.

2. This Court vividly remembers that on the date of passing the order, the petitioner was required to explain as to why the petitioner did not approach the Rent Control Appellate Tribunal for staying the order of the trial Court, to which, the learned counsel submitted that the learned Judge, Appellate Authority has gone on

<https://hccservices.courts.gov.in/hccservices/>

This Court also ascertained that the learned Judge



has gone on medical leave for about a month. Taking into account the said details, this Court ordered stay of the execution proceedings in E.P.No.147 of 2019 in RCOP.No.123 of 2011.

3.Today, it is mentioned that no order of stay is seen to be passed in the CMP(MD) No.7075 of 2020 filed along with the main case.

4. In view of the above, this Court stays the execution proceedings in E.P.No.147 of 2019 in RCOP.No.123 of 2011, till the Appellate Tribunal takes a call in the matter in I.A.No.49 of 2020 in R.C.A.No.18 of 2020, pending before it. In all other aspects, the order of the Court dated 21.12.2020 passed in CRP(MD) No.1089 of 2020 stands unaltered.

sd/-
22/01/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE PRINCIPAL SUBORDINATE JUDGE,
APPELLATE TRIBUNAL, MADURAI.

2 THE ADDITIONAL DISTRICT MUNSIF,
MADURAI.

+1. C.C. to M/S.P.M.VISHNUVARTHANAN Advocate SR.No.1892

ORDER
IN
CMP (MD) No.7075 of 2020
IN
CRP (MD) No.1089 of 2020
Date :22/01/2021

ds
JM/PN/SAR I/25.01.2021/2P/4C