



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

Tuesday, the First day of December Two Thousand and Twenty
PRESENT

The Hon'ble Mr. Justice KRISHNAN RAMASAMY

WEB COPY

CMP(MD). No.10052 of 2019
in
CRP(MD).No.1534 of 2019

Mangalam,
Rep. through her Power
Agent R. Jayaprakash

...Petitioner/Petitioner

Vs

Muthiah Pillai

...Respondent/Petitioner

Prayer in CMP(MD). No.10052 of 2019:-

Civil Misacellaneous Petition is filed under Order 41 Rule 21 of Civil Procedure Code, praying this Hon'ble Court to recall the order dated 4.9.2019 made in CRP(MD). No.1534 of 2019 in so far it relating to that portion of the order "in the event of condoning the delay and numbering the appeal execution should be stayed til the disposal of the appeal".

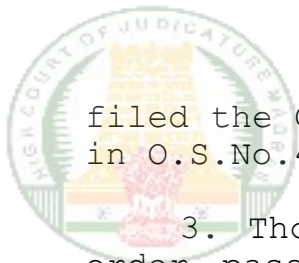
Prayer in CRP(MD).No.1534 of 2019 :

Civil Revision Petition is filed under Article 227 of the Constitution of India, seeking a dirtion to the District Munsif, Srivaikundam, to stay E.P.No.5 of 2019 till the disposal of I.A.No.7 of 2019 in A.S.unnumbered/2019.

ORDER:- Civil Misacellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s.P.Jessi Jeeva Priya, Advocate for the Petitioner and of Mr.R.Ramasamy, Advocate for the respondent, this Court made the following order:

This application has been filed to re-call the order passed by this Court in C.R.P.(MD).No.1534 of 2019, dated 04.09.2019.

2. The learned counsel appearing for the petitioner submitted that this Court, by order dated 04.09.2019, directed the Subordinate Judge, Tiruchendur to dispose of the application in I.A.No.7 of 2019, within a period of two weeks from the date of receipt of a copy of the order and in the event of condoning the delay and numbering the appeal, execution should be stayed till the disposal of the appeal. He further submitted that now the appeal has been numbered and due to the order passed by this Court, stay will



filed the Civil Revision Petition to struck off the E.P.No.5 of 2019 in O.S.No.49 of 2017.

3. Though the petitioner has filed the petition to recall the order passed by this Court in C.R.P.(MD).No.1534 of 2019, dated 04.09.2019, the learned counsel appearing for the petitioner fairly submitted that this Court may direct the learned Subordinate Judge, Tiruchendur, to dispose of the appeal in a time bound manner. Therefore, this Court directs the learned Subordinate Judge, Tiruchendur to dispose of the appeal within a period of six months from the date of receipt of a copy of this order.

4. With the above direction, the C.R.P.(MD).No.1534 of 2019 is disposed of.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Akv

Note: In view of the present lock down owing to COVID -19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Subordinate Judge, Tiruchendur.

2. The District Munsif, Srivaikundam.

+1cc to M/s.P.Jessi Jeeva Priya, Advocate, Sr.No.23600

C.M.P. (MD) .No.10052 of 2019

in

C.R.P. (MD) .No.1534 of 2019

01.12.2020

VB (15.12.2020) 2P 4C