

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Civil Appellate Jurisdiction )

Thursday, the Twenty Ninth day of April Two Thousand Twenty One

PRESENT

THE HON`BLE MR JUSTICE M. SUNDAR

CMP No.7488 of 2021

IN SA.NO.395/2021

1 A. VENKATESAN [ PETITIONERS ]

K.ANANDAN (DIED)

2 VIMALAMMAL

3 SELVI

4 SUMATHI

5 DEVI

Vs

1 DEVARAJAN [ RESPONDENTS ]

2 NATARAJAN

3 G. MUNIRATHINA NAIDU

सत्यमेव जयते

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay the judgment and decree dated 16.03.2011 made in OS No.391 of 2004 on the file of the Id.District Munsif Court, Ambattur confirmed in the judgment and decree dated 28.09.2020 made in AS No.105 of 2014 on the file of the Id.Sub Court, Poonamallee (CMP.7488/2021) pending disposal of this SA.395/2021

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.N.MANOCHARAN, Advocate for the petitioner and of MR.K.BOMMURAJ, Advocate (caveator) on behalf of the Respondents the court made the following order:-

Read this in conjunction with and in continuation of separate proceedings made in main Second Appeal today which reads as follows:

2. Two concurrent decrees of the Courts below are not executable decrees, but advertent to paragraph No.6 of the supporting affidavit, learned counsel submits that it is imperative to keep the decrees in abeyance.

3. Mr.K.Bommuraj, learned counsel who accepts notice on behalf of respondents submits that the respondents will not precipitate any action on the strength of decrees of the Courts below (though decrees are not executable) till the disposal of the Second Appeal and further action if any and if that be so, is subject to the outcome of the Second appeal.

4. In the light of the stated position of respondents, it will suffice if this is recorded for the purpose of giving a closure to captioned CMP. The above submission made on instructions is recorded. Captioned CMP is disposed of as closed. There shall be no order as to costs.

-sd/-

29/04/2021

/ TRUE COPY /

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

TO

1 THE SUBORDINATE JUDGE,  
POONAMALLEE

2 THE DISTRICT MUNSIF, सत्यमेव जयते  
AMBATTUR.

C.C. to MR.N.MANOCHARAN Advocate SR3096/2021

Order  
in

CMP.7488/2021

in SA.NO.395/2021

Date :29/04/2021

From 26.2.2001 the Registry is issuing certified  
copies of the Interim Orders in this format  
RRI 07/06/2021