



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Monday, the Twenty Sixth day of July Two Thousand Twenty One

PRESENT

THE HON`BLE MR JUSTICE M.SUNDAR

CMP No.25072 OF 2019

IN SA.NO.1148 OF 2019

1 S.GEETHA [PETITIONERS]

2 S.PARANTHAMAN

3 S.PARIVALLAL

4 S.RENUKA

Vs

1 YASODA AMMAL [RESPONDENTS]

2 TAMIL NADU HOUSING BOARD
VELLORE HOUSING UNIT, VELLORE-9 REP. BY ITS
EXECUTIVE ENGINEER AND ADMINISTRATIVE OFFICER

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 the operation of the Judgment and Decree dt. 22/04/2019 passed by the Learned I Additional District Judge, Vellore in AS No. 62/2016 and Cross Appeal (IN CMP NO.25072 / 2019)pending disposal of the above SA.NO.1148/2019.

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.K.SRIDHAR, Advocate for the petitioner and of MR.S.RAJENDRA KUMAR Learned Counsel for 1st Respondent and MR.R.JAYASEELAN Learned Counsel for 2nd Respondent the court made the following order:-

Mr.K.Sridhar, learned counsel on record for petitioners / appellants, Mr.S.Rajendra Kumar learned counsel of M/s.Norton and Grant (Law Firm) on behalf of first respondent and Mr.R.Jayaseelan, learned counsel for second respondent - Tamil Nadu Housing Board [TNHB] are before this Virtual Court.

2. Suit in the trial Court was *inter-alia* for mandatory injunction to direct TNHB to execute sale deed in favour of plaintiff. There are other prayers for division of suit property



and appointment of a commissioner.

3. Be that as it may, post judgment/decreed of trial Court, plaintiff carried the matter in appeal to the First Appellate Court and private defendants i.e., defendants 1 to 4 were cross objectors. The First Appellate Court disposed of first appeal and cross objection vide judgment and decree dated 22.04.2019 *inter-alia* granting mandatory injunction qua 5th defendant (TNHB) for execution of sale deed.

4. Mr.S.Rajendra Kumar, learned counsel in his usual fairness submits on instructions that no execution petition has been launched as of today.

5. The parties will have to necessarily await the outcome of captioned second appeal for launching execution petition. This draws the curtains on captioned CMP.

6. Accordingly, captioned CMP is disposed of as closed. There shall be no order as to costs.

-sd/-
26/07/2021
/ TRUE COPY /

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

TO

1 THE IST ADDITIONAL DISTRICT JUDGE,
VELLORE.

2 THE SUBORDINATE JUDGE,
VELLORE.

C.C. to M/S.K.SRIDHAR Advocate SR.NO.4158/2021.

Order

in
CMP No.25072/2019
IN SA.NO.1148/2019

From 26.2.2001 the Registry is issuing certified
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DP (30/07/2021)