



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

Monday, the Twenty Second day of February Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon`ble Mr.Justice N.SESHASAYEE

REV.APLC(MD) No.1 of 2021
and
CMP(MD)No.94 of 2021

V.MUTHULAKSHMI

... REVIEW PETITIONER/
1ST RESPONDENT

Vs

1.G.RAJENDRAN

...1ST RESPONDENT/PETITIONER

2.A.BALUCHAMY

3.B.VASANTHA

... RESPONDENTS 2 & 3/
RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to review the order passed by this Honourable Court in CRP (MD) No.912 of 2020 dated 24.11.2020.

PRAYER IN CMP(MD)No.94 of 2021 :

To pass an order of stay of the further proceedings in E.A No.21 of 2020 in E.P No.13 of 2019 in O.S No.98 of 2008 on the file of the 1st Additional District Judge, Madurai.

PRAYER IN CRP(MD) No.912 of 2020:

The Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the fair and executable order dated 09.10.2020 passed in unnumbered E.A.No. /2020 in E.P.No.13/2019 in O.S.No.98 of 2008 by the 1st Additional District Judge, Madurai.

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.V.RAMAKRISHNAN, Advocate for the petitioner, the court made the following order:-

Mr.V.Ramakrishnan, learned counsel for the review petitioner/first respondent in C.R.P(MD) No.912 of 2020, is now required to take notice on Mr.S.Mahesh Babu, learned counsel for the revision petitioner in C.R.P(MD).No.912 of 2020.



2.The learned counsel submitted that what the obstructor did not disclose before this Court that the agreement under which he claims right as a judgment debtor, has been obtained after the decree of the Trial Court and during the pendency of the first appeal. Now, that the first appeal has been dismissed and the decree of the Trial court having been confirmed, the entire transaction is hit by lis pendency. This fact does not appear to have been brought before this Court, when the petitioner moved the C.R.P(MD).No.912 of 2020.

3. Hence, there shall be an order of interim stay of further proceedings in EA.No.21 of 2020 in EP No.13 of 2019 in O.S.No.98 of 2008 on the file of the I Additional District Judge, Madurai till 10.03.2021

4. Post the matter on 10.03.2021.

sd/-
22/02/2021

/ TRUE COPY /

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

TO

THE I ADDITIONAL DISTRICT JUDGE,
MADURAI.

+1. C.C. to Mr.V.RAMAKRISHNAN Advocate SR.No.1297

ORDER
IN
REV.APLC(MD) No.1 of 2021
and
CMP(MD)No.94 of 2021
Date :22/02/2021

GSK
TK/PN/SAR.1/25.02.2021/2P/3C