



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

Monday, the Ninth day of August Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN
and
The Hon'ble Mrs.Justice J.NISHA BANU

C.M.P.[MD]No.939 of 2021
in
A.S[MD]No.27 of 2021

THE DEPUTY CHIEF ENGINEER
CONSTRUCTIONS, SOUTHERN RAILWAY,
SALEM.

... PETITIONER/APPELLANT

Vs

1. GURUSAMY

2. THE SPECIAL TAHSILDAR (LA),
SALEM KARUR NEW BROADGUAGE,
RAILWAY LINE SCHEME,
KARUR.

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to stay the operation of decree and judgment in LAOP No.131 of 2002, dated 28.2.2012 on the file of Principal Subordinate Judge, Karur.

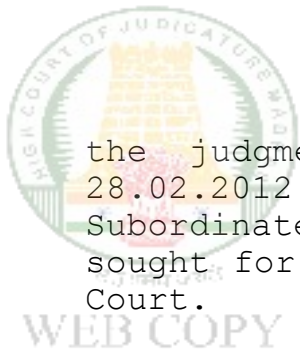
Prayer in AS(MD)No. 27/ 2021 :

To set aside the judgment and decree passed in LAOP No.131 of 2002 dated 28.02.2012 on the file of the Principal Subordinate Judge, Karur.

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.S.MANO HAR, Advocate for the petitioner and of not appeared for the Respondents No.1&2 either in person or through by an advocate, the court made the following order:-

[Order of the Court was made by V.BHARATHIDASAN, J.]

The petitioner/appellant has filed the present appeal against
<https://hcservices.ecourts.gov.in/hcservices/>



the judgment and decree passed by the Reference Court dated 28.02.2012 in L.A.O.P.No.131 of 2002 on the file of the Principal Subordinate Judge, Karur and pending appeal, the petitioner has sought for stay of the judgement and decree passed by the Reference Court.

2. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner/appellant would submit that after the judgment and decree passed by the Reference Court, the entire award amount has been deposited and amount had already been withdrawn by the first respondent.

3. Considering the above circumstance that already the award amount had been deposited and the same had also been withdrawn by the first respondent, there is no need to stay the judgment and decree passed by the Reference Court. Hence, this Civil Miscellaneous Petition is dismissed.

sd/-
09/08/2021

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

TO

1. THE SPECIAL TAHSILDAR (LA),
SALEM KARUR NEW BROADGUAGE,
RAILWAY LINE SCHEME, KARUR.
2. THE PRINCIPAL SUBORDINATE JUDGE,
KARUR.

ORDER IN
C.M.P.[MD]No.939 of 2021
in
A.S[MD]No.27 of 2021
Date :09/08/2021

pm
USK/VR/SAR-II : 12/08/2021 : 2P/3C