



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

Tuesday, the Second day of November Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CMP (MD) No.8732 of 2021
in
AS (MD) No.202 of 2017

JEGADEESAN

... APPELLANT

Vs

SANTHA RAJESWARI

... RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to stay all further proceedings of E.P.No.36 of 2014 in O.S.No.31 of 2012 on the file of the I Additional District Court, Tuticorin, till the disposal of this appeal in A.S.No. 202/2017 on the file of this Honoutable Court.

PRAEYR IN AS (MD) No.202 of 2017:

To prefer this Memorandum of grounds of first appeal against the judgment and decree passed in O.S.No.31 of 2012 dated 02.09.2013 on the file of the 1st Additional District Court, Tuticorin.

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.J.ALAGURAAM JOTHI, Advocate for the petitioner and of M/s.P.JESSI JEEVA PRIYA, Advocate on behalf of the Respondent, the court made the following order:-

The defendant in the suit is the appellant. The appellant has suffered a money decree.

2. The learned counsel for the appellant states that the decree holder is tracing execution of the decree. Hence, he seeks interim stay. Since it is a money decree, it is not possible for this Court to grant unconditional interim order. The learned counsel for the appellant states that he has brought a demand draft favouring the plaintiff for a sum of Rs.2,00,000/-. He is permitted to hand over the same to the counsel for the respondents. The said amount will be adjusted towards the decreetal claim.



3. Since a sum of Rs.2,00,000/- is to be paid to the plaintiff, there shall be an order of interim stay till the disposal of the appeal. This Civil Miscellaneous Petition is disposed of accordingly.

sd/-
02/11/2021

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

TO
THE I ADDITIONAL DISTRICT JUDGE,
TUTICORIN.

ORDER
IN
CMP (MD) No.8732 of 2021 IN
AS (MD) No.202 of 2017
Date :02/11/2021

Rmi
MS/JM/SAR-4/10.11.2021/2P.2C