



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

Tuesday, the Twentieth day of April Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CMP(MD)Nos.2058 of 2019 and 3904 of 2018
IN
SA(MD) No.151 of 2018

CMP(MD)No.2058 of 2019 in SA(MD) No.151 of 2018:

VETRIVEL ... PETITIONER/1st RESPONDENT/1st RESPONDENT
VS.

1 VASUKI SELVAM
2 M.MANOCHARAN

3 MANIMUTHUSAMY FAMILY TRUST
REPRESENTED BY ITS MANAGING TRUSTEES
...RESPONDENTS 1-3/PETITIONERS/APPELLANTS

4 ARULSELVI
5 THE GENERAL MANAGER,
BSNL, TRICHY.

6 SHRI MARUTHI INFO SYSTEMS,
REP.BY MRS.VIJAYALAKSHMI
...RESPONDENTS 4-6/RESPONDENT 2-4/
RESPONDENTS 2-4

7 THREE STAR INTERNATIONAL,
REPRESENTED BY MR.A.K.RAJAN

8 YASHICA ELECTRONICS,
REP.BY MR.KANNAN

9 VINAYAGA LATH WORKS,
40C, LALITH BLOCK (GROUND FLOOR)
MANIMUTHU VALAGAM, SALAI ROAD, TRICHY.

10 MANITHAM HOMEOPATHY CLINIC,
40-C-2, FIRST FLOOR, LALITH BLOCK,
(GROUND FLOOR) MANIMUTHU VALAGAM,
SALAI ROAD, TRICHY.

11 CCI COMPUTER EDUCATION,
40-C-2, FIRST FLOOR, LALITH BLOCK,



(GROUND FLOOR) MANIMUTHU VALAGAM,
SALAI ROAD, TRICHY.

12 PARIS TAILORS,
REP.BY MR.A.NAGARAJ,

13 BABY DECORATORS,
REP.BY MR.M.FKLOORIDEEN

14 EVERSIGN PRINTERS,
REP.BY MR.A.B.ABDUL HAFEEZ,

15 STATE BANK OF INDIA
REPRESENTED BY ITS BRANCH MANAGER,
WORAIYUR, TRICHY. ... RESPONDENTS 7-15/RESPONDENTS 5-13/
RESPONDENTS 5-13.

Prayer in CMP(MD). 2058/ 2019 :

To vacate the interim order of stay dated 20.08.2018 made
in CMP(MD) No.3904 of 2018 in SA(MD) No.151 of 2018 on the file of
this Honourable Court.

CMP(MD)NO.3904 OF 2019 in SA(MD) No.151 of 2018:

1 VASUKI SELVAM
2 M.MANOHARAN

3 MANIMUTHUSAMY FAMILY TRUST
REPRESENTED BY ITS MANAGING TRUSTEES ... PETITIONERS / APPELLANTS

Vs

1 VETRIVEL
2 ARULSELVI
3 THE GENERAL MANAGER,
BSNL, TRICHY.

4 SHRI MARUTHI INFO SYSTEMS,
REP.BY MRS.VIJAYALAKSHMI,

5 THREE STAR INTERNATIONAL,
REPRESENTED BY MR.A.K.RAJAN

6 YASHICA ELECTRONICS,
REP.BY MR.KANNAN

7 VINAYAGA LATH WORKS,
40C, LALITH BLOCK (GROUND FLOOR)
MANIMUTHU VALAGAM, SALAI ROAD, TRICHY.

8 MANITHAM HOMEOPATHY CLINIC,
40-C-2, FIRST FLOOR, LALITH BLOCK,
(GROUND FLOOR) MANIMUTHU VALAGAM,
SALAI ROAD, TRICHY.

9 CCI COMPUTER EDUCATION,
40-C, SECOND FLOOR, LALITH BLOCK,
(GROUND FLOOR) MANIMUTHU VALAGAM,
SALAI ROAD, TRICHY.

10 PARIS TAILORS,
REP.BY MR.A.NAGARAJ,

11 BABY DECORATORS,
REP.BY MR.M.FKOORIDEEN

12 EVERSIGN PRINTERS,
REP.BY MR.A.B.ABDUL HAFEEZ,

13 STATE BANK OF INDIA
REPRESENTED BY ITS BRANCH MANAGER,
WORAIYUR, TRICHY.

... RESPONDENTS / RESPONDENTS

Prayer in CMP(MD) . 3904/ 2018 :

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to stay of all further proceeding in pursuant to the Decree and Judgment dated 26.11.2014 in O.S.No.489 of 2012 on the file of the Principal Subordinate Judge, Tiruchirappalli which is confirmed by decree and judgment dated 22.12.2017 made in A.S.NO.26 of 2015 on the file of Sessions Judge (Mahila Court) Tiruchirappalli pending disposal of the second appeal.

Prayer in SA(MD) No.151 of 2018:

To set aside the Decree and Judgment passed by the Learned Sessions Judge (Mahila Court), Tiruchirapalli dated 22.12.2017 made in A.S.NO.26 of 2015 confirming the Decree and Judgment made in O.S.No.489 of 2012 dated 26.11.2014 on the file of the Principal Subordinate Judge, Tiruchirapalli.

ORDER : These petitions 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.Veerakathiravan, Senior Counsel for the petitioner in CMP(MD)No.2058/2019 and M/S.K.BALASUBRAMANI, Advocate for the petitioner in CMP(MD)No.3904/2018, and of Mr.K.Balasubramani, Advocate for R1 to R3, Mr.AN. Ramanathan, Advocate for R4, Mr.K.Govindarajan, Advocate for R5, Mr.S.Alagasundar for R15 and R6 to R14 not appeared in person or by an Advocate in CMP(MD)No.2058/2019 on behalf of the Respondents, the court made the following order:-



Today, when the appeal is taken up for hearing, the learned counsel for the appellants seeks short accommodation.

2.Mr.Veerakathiravan, learned Senior counsel appearing for the petitioner in vacate stay petition vehemently opposed for granting adjournment. The learned Senior counsel has brought to the notice of this Court that since on several times the matter has been adjourned at the request of the appellant, on earlier occasion this Court has not extended the interim order already granted on 20.04.2018.

3. In view of the fact that the interim order already granted was not extended by this Court and today also the learned counsel for the appellant is not ready to argue the appeal, the stay petition in C.M.P(MD).No.3904 of 2018 is closed. Accordingly, the vacate stay petition in CMP(MD).No.2058 of 2019 is also closed.

4.Post the appeal on 03.06.2021 for hearing finally.

sd/-

20/04/2021

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/ /2021

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

TO

1 The Sessions Judge (Mahila Court), Tiruchirppalli

2 The Principal Subordinate Judge, Tiruchirapalli.

Jam/24.04.2021/4p-3c

ORDER

IN

CMP(MD)Nos.2058 of 2019 and 3904 of 2018

IN

SA(MD) No.151 of 2018

Date :20/04/2021