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CMP Nos.12042 and 12084 of 2024
in CMP Nos.2394 & 2447 of 2024
in AS Nos. 68 & 69 of 2024

R.SUBRAMANIAN, J.
and
R.SAKTHIVEL, J.

(Order of the Court was made by R.SUBRAMANIAN, J.)

By order dated 17.04.2024, we had required the appellant to deposit a sum of Rs.17,00,000/- in CMP No.2394 of 2024 in AS No. 68 of 2024 and a sum of Rs.9,00,000/- in CMP No.2447 of 2024 in AS No.69 of 2024 as a condition for grant of stay. The petitioner seeks modification of the order and pleads that in view of the old age he is unable to raise funds to deposit a total sum of Rs.26,00,000/-. Mr. Aravind Subramanian, learned Senior Counsel appearing for the petitioner would submit that the petitioner would be able to deposit the money as required in our order dated 17.04.2024 in installments.

2. Though the learned counsel appearing for the respondent has very serious objections, considering the age of the petitioner viz. 72 years, we find some justification in the prayer made. Hence the order dated 17.04.2024 will stand modified as follows:



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3. The petitioner will deposit a sum of Rs.9,00,000/- to the credit of OS No.2402 of 2013 on the file of the III Additional City Civil Court, Chennai, within a period of four weeks from the date of receipt of a copy of this order. The remaining amount viz. Rs.8,00,000/- shall be deposited in two installments of Rs.4,00,000/- each within a period of 12 weeks and 20 weeks respectively from the date of receipt of a copy of this order. Thus, the first installment shall be payable within a period of four weeks from the date of receipt of a copy of this order. The second installment shall be paid within a period of 12 weeks and the third installment shall be paid within a period of 20 weeks.

4. Similarly, the petitioner will deposit a sum of Rs.5,00,000/- to the credit of the suit in OS No.2401 of 2013 on the file of the III Additional City Civil Judge, Chennai, within a period of four weeks from the date of receipt of a copy of this order, the remaining amount of Rs.4,00,000/- shall be deposited in two installments of two lakhs each within a period of 12 weeks and 20 weeks respectively from the date of receipt of a copy of this order. Thus, the first installment shall be payable within a period of four weeks from the date of receipt of a copy of this order. The second installment shall be paid within



a period of 12 weeks and the third installment shall be paid within a period of 20 weeks.

5. The CMPs are disposed of with the above direction. In the event of failure to comply with any one of the conditions stated supra, the stay will stand automatically vacated.

[R.S.M., J.] [R.S.V., J.]
03.07.2024

jv

Note: Issue order copy on 04.07.2024



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