



CMP(MD) No.5683 of 2024

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

Monday, the Twenty Ninth day of July Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD) No.5683 of 2024

in

AS(MD) No.99 of 2024

1 T.V.PANDURENGAN (FIRM)
DEALERS IN PETROLEUM PRODUCTS,
REPRESENTED THROUGH ITS PARTNER
V.KANNAN.

2 V.KANNAN

3 M.PAPPULAKSHMI

... PETITIONERS/ APPELLANTS

Vs

S.SRINIVASAN (DIED)

1.S.RAJAKUMAR

2 S.SAINATHAN

3 S.BADRI VISALAKSHI

4 S.SAI SUBRAMANIAN

... RESPONDENTS/RESPONDENTS

Civil Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order of Stay of all further proceedings in O.S.No.77/2017, including the Execution

<https://www.hmc.tn.gov.in/judis>



CMP(MD) No.5683 of 2024

Proceedings in ** **E.P.No.264/2023** on the file of the **Learned IV Additional District Judge, Madurai District**, pending disposal of the above Appeal Suit on the file of this Honourable Court.

Prayer in AS(MD). 99/ 2024 :

To take this appeal on file and call for the records from the lower court and allow this appeal by setting aside the decree and judgement passed in O.S.No.77/2017 on the file of the IV- Additional District Judge, Madurai Dated 25.07.2023 with cost throughout.

ORDER : This Civil Miscellaneous 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 M/S.V.NAGENDRAN, Advocate for the petitioner and of MR.S.MAHESH BABU, Advocate on behalf of the Respondents, the court made the following order:-

The Petitioners/ Appellants are tenants. The suit in O.S.No.77 of 2017 was filed for rejeatment. Since they are in possession of the property there shall be an order of interim stay on condition that (*) the petitioners shall deposit a sum of Rs.3,00,000/- on or before 13.09.2024 . The balance amount of Rs.3,00,000/-shall be deposited on or before 14.10.2024 and post the matter for reporting compliance on 15.10.2024, failing which, interim stay granted shall stand vacated automatically without any further reference to this Court. On such payment, the respondent is permitted to withdraw the sum of Rs.3,00,000/- alone. The balance amount shall deposit in anyone of the Nationalized Bank as interest accrued deposit.



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2. Notice to the respondents. Private notice is also permitted.

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sd/-
29/07/2024

(*)CORRECTED AS PER ORDER OF THIS
COURT DATED 13.08.2024 IN CMP(MD)
NO.5683 OF 2024 IN AS(MD)NO.99 OF 2024

(**)CORRECTED AS PER ORDER OF THIS
COURT DATED 23.08.2024 IN CMP(MD)
NO.5683 OF 2024 IN AS(MD)NO.99 OF 2024

/ TRUE COPY /

28/08/2024

Sub-Assistant Registrar (PA-I/ AD-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

KSA

TO

TO BE SUBSTITUTED WITH THE ORDER DATED 29/07/2024 ALREADY
DESPATCHED

1.THE IV ADDITIONAL DISTRICT JUDGE,
MADURAI.

2.THE VI ADDITIONAL DISTRICT JUDGE,
MADURAI.

+1 CC to M/s.V.NAGENDRAN, Advocate (SR-8816[I] dated 29/07/2024)

+1 CC TO MR.V.NAGENDRAN, Advocate SR No.9893 dated 13.08.2024

ORDER
IN
CMP(MD) No.5683 of 2024
in
AS(MD) No.99 of 2024
Date :29/07/2024



CMP(MD) No.5683 of 2024

RS/JGB/SAR-(01.08.2024) 4P 3C

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RK/ (14.08.2024) 4P/4C

ED/ (28.08.2024) 4P/5C

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