



CRP NO. 1744 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2025

CORAM

**THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA**

**CRP NO. 1744 of 2025**

**and CMP.No.10044 of 2025**

M.S.Rathinam  
S/o.Late Micheal, No.30/8A, Pachaianman Koil Street,  
Virugambakkam, Chennai-600 092.

Petitioner(s)

Vs

M.M.Manivannaraj,  
S/o.Late Madasamy, No.6, Rajiv Gandhi Street, Virugambakkam,  
Chennai-600 092.

Respondent(s)

**For Petitioner(s):**

P.Surendar  
V.Arun Kumar  
V.Karthigaipriya  
K.Karthikeyan

**ORDER**

Learned counsel for the petitioner would submit that since the petitioner/Judgment debtor was suffering from dental pain, he was unable to cross examine R.W.1 on 13.03.2025 in E.P.No.42 of 2023 pending before the XXVII Assistant Judge, City Civil Court, Chennai, and thereby the petitioner had filed an application seeking to reopen and cross examine the decree holder, whereas the Executing court holding that the petition is not maintainable, issued warrant of arrest as against the petitioner.



2. The learned counsel for the petitioner/Judgment debtor would further submit that the petitioner is ready to cross examine the decree holder/respondent herein, if one

opportunity is given and to show his bonafide, he is ready to deposit Rs.50,000/- to the credit of O.S.No.1795 of 2017 within a time frame fixed by this court.

3. Interim stay till 10.06.2025 on condition that the petitioner deposits Rs.50,000/-

[Rupees Fifty thousand only] to the credit of O.S.No.1795 of 2017 on or before

05.06.2025. In the event of failure to make deposit, the interim stay granted will stand automatically vacated.

4. The learned counsel for the petitioner is also directed to take private notice and permitted to serve notice on the counsel appeared for the respondent/decreed holder before the Executing Court.

**28-04-2025**

nvsri



To

1. The learned XXVII Assistant Judge, City Civil Court, Chennai.

2. The learned XV Assistant Judge, City Civil Court, Chennai.

3. M.M. Manivannaraj,

S/o. Late Madasamy,

No.6, Rajiv Gandhi Street,

Virugambakkam,

Chennai-600 092.



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**A.D.JAGADISH CHAND**



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