

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

I.A.Nos. 2 & 3 & 4 In

Petition(s) for Special Leave to Appeal (Civil) No(s).19630/2012

(From the judgment and order dated 30/03/2012 in CMA No.229/2012 of The
HIGHCOURT OF MADRAS AT MADURAI)

T.AZHAGAMPERUMAL PILLAI (DEAD)

Petitioner(s)

VERSUS

S.PONNAIYAN AND ORS.

Respondent(s)

(For vacating stay or modification of ex-parte interim stay and bring on
record the legal heirs of sole petitioner and appln. for exemption from
filing O.T and office report)

Date: 05/03/2013 These applications were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. SATHASIVAM

HON'BLE MR. JUSTICE RANJAN GOGOI

For Petitioner(s) Mr. V. Prabhakar, Adv.
Mr. R. Chandrachud, Adv.
Ms. Jyoti Prashar, Adv.For Respondent(s) Mr. P.V. Dinesh, Adv.
No.1/ApplicantUPON hearing counsel the Court made the following
O R D E R

I.A.Nos. 3 & 4 are allowed.

I.A.No.2

Heard Both sides.

On 20.7.2012 while issuing notice, this Court granted stay of
further proceedings in E.P. No. 90 of 2010 in O.S. No. 21 of
2010 pending on the file of District Judge, Nagercoil.Respondent No.1/applicant herein filed an Interlocutory
Application No.2 for vacation of the said interim order or
modification of the same by confining the execution proceedings
in respect of Item Nos. 1 to 12 as set out in E.A. Sr. No. 4386
of 2011.After hearing all the parties concerned, we are not
inclined to vacate the stay. However, considering the grievance
expressed, we modify the interim order dated 20.7.2012 and
clarify that the said order is applicable to Item Nos. 1 to 12
properties set out in E.A. Sr. No. 4386 of 2011 pending on the
file of District Judge at Nagercoil. To this extent, the
earlier order passed by this Court is modified.It is further clarified that there is no stay in respect
of Item Nos. 13 to 17. Executing Court is free to proceed
further with regard to those items. I.A is ordered accordingly.

(KUSUM SYAL)
SR.P.A

(SAVITA SAINANI)
COURT MASTER