

(1914) 04 MAD CK 0046
In the Madras High Court

Chapalamadugu Pedda Balliah and Another
Vs

APPELLANT

Muthiyalu Venkatasami

RESPONDENT

Date of Decision : 29-04-1914

Acts Referred:

Citation : 24 Ind. Cas. 976(1)

Hon'ble Judges : Miller, J

Bench : Single Bench

Judgement

Miller, J.—I think it is admissible to stay the criminal proceedings. The charge comes up by way of defence to the suit, and it seems on the whole better that the two proceedings should not go on at the same time. But the possibility that the civil litigation may be unduly protracted is not to be disregarded, and it would be wrong to stay proceedings by an order made now for all the time that may be necessary to obtain a final decision in the civil suit. It is said that the suit is proceeding under Order XXXVII of the CPC in the District Munsif's Court and if so, it should not take a very long time in that Court. I will stay proceedings until disposal of the suit by the District Munsif or for six months from this date, whichever is earlier, after which if no further order is passed the case in the Magistrate's Court may proceed.