



C.R.P. No. 3003 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 13.07.2026

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

C.R.P. No. 3003 of 2025

&

C.M.P. No. 16860 of 2025

1. Saraswathi
 2. Santhi
 3. Mathan Kumar
 4. Santhiya
 5. Sasikumar
 6. Chinnusamy
 7. Sivasakthivel
 8. Ramesh
- ..Petitioners

Vs.

1. Sundharambal
 2. Gunasekaran
 3. Velumani
- ..Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the docket order dated 01.07.2025 passed in I.A. No. 2 of 2025 in O.S. No. 221 of 2025 by the learned Sub Judge, Thiruchengode



C.R.P. No. 3003 of 2025

and consequently to pass an order of ad-interim injunction restraining respondents 1 to 3 from making any construction in the suit schedule property.

For Petitioners :: Mr.K.C. Karl Marx

For Respondents :: Mr.M. Vijayaragavan

O R D E R

This civil revision petition has been filed challenging the impugned docket order dated 01.07.2025 passed by the Sub Court, Thirchengode in I.A. No. 2 of 2025 in O.S. No. 221 of 2025.

2. The petitioners are the plaintiffs and the respondents are the defendants in the suit in O.S. No. 221 of 2025 pending on the file of Sub Court, Tiruchengode. During the pendency of the suit in O.S. No. 221 of 2025, the petitioners filed I.A. No. 2 of 2025 seeking an order of interim injunction to restrain the respondents/defendants from putting up construction in the suit schedule property. Under the impugned docket order dated 01.07.2025, the Sub-Court, Thiruchengode, has ordered notice to the respondents/defendants in I.A. No. 2 of 2025 even though the petitioners had sought for an ex parte order of interim injunction in I.A. No. 2 of 2025.



C.R.P. No. 3003 of 2025

Aggrieved by the refusal of the Trial Court to grant interim injunction, the petitioners have filed this civil revision petition.

3. The petitioners are having the benefit of interim injunction in this civil revision petition from 17.07.2025. The order of interim injunction has been extended periodically by this Court and the last of such extension granted by this Court was on 06.02.2026 extending the order of interim injunction till 23.02.2026. Thereafter, on 22.02.2026, when the matter was listed before this Court, since the learned counsel for the petitioners was not ready to argue the main civil revision petition, the interim injunction was not extended as no specific request for extension of interim injunction was sought for on that date.

4. This Court, on the last hearing date, i.e., on 22.06.2026, took note of the fact that this civil revision petition has been filed aggrieved by the refusal of the Trial Court to grant an ex parte order of interim injunction in favour of the petitioners. This Court has also recorded the submissions made by the learned counsel for the respondents/defendants that the suit filed by the petitioners is frivolous and vexatious.



C.R.P. No. 3003 of 2025

5. Today, when the matter is taken up for hearing, this

Court posed a query to the learned counsel for the petitioners as to how this civil revision petition is maintainable challenging the refusal to grant an ex parte order of interim injunction and the learned counsel for the petitioners sought further time to produce authorities to substantiate the petitioners' contention that this civil revision petition is maintainable as against the docket order of issuance of notice by the Trial Court refusing to grant an ex parte order of injunction as prayed for by the petitioners.

6. Since the petitioners are having the benefit of interim injunction in C.M.P. NO. 16860 of 2025 in this civil revision petition from 17.07.2025 onwards, this Court is of the opinion that adjourning the matter further would only delay the disposal of the suit, which would not be in the interest of both the parties to the suit. Therefore, in the interest of justice, this Court is of the considered view that a direction can be issued to the Trial Court to dispose of I.A. No. 2 of 2025 in O.S. No. 221 of 2025 within a time frame to be fixed by this Court.

7. For the foregoing reasons, this civil revision petition is disposed of as hereunder:



WEB COPY



C.R.P. No. 3003 of 2025

“Since the petitioners are having the benefit of interim injunction in this civil revision petition, the said order of interim injunction shall be allowed to continue for a period of two weeks from the date of receipt of a copy of this order. Further, a direction is issued to the Trial Court, namely, Sub Court, Thiruchengode, to dispose of I.A. No. 2 of 2025 within a period of one month thereafter, uninfluenced by any of the observations made by this Court in this order and the Trial Court shall permit the respondents/defendants to file their counter in the said interlocutory application. However, it is made clear that no request for extension of interim injunction order shall be entertained by the Trial Court till the disposal of I.A. No. 2 of 2025.”

No costs. Connected C.M.P. also stands disposed of.

13.07.2026

nv

To

The Sub Court, Thiruchengode.



WEB COPY



C.R.P. No. 3003 of 2025

ABDUL QUDDHOSE,J.

nv

C.R.P. No. 3003 of 2025

13.07.2026