

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P.(PD).No.1069 of 2015

and

M.P.No.1 of 2015

1. South India Vaniyar Sangam
Rep. By its Secretary,
No.112, Coral Merchant Street,
Mannady, Chennai - 1

2. V.Ezumalai Chettiar,
President,
South India Vaniyar Sangam,
No.112, Coral Merchant Street,
Mannady, Chennai - 1

....

Petitioners

Vs.

R.Iyyappan Chettiar

....

Respondent

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India, seeking speedy disposal of the petition in I.A.4613 of 2013 in O.S.1683 of 2013, on the file of XIV Assistant City Civil Court, Chennai.

For Petitioners : Mr.V.Raghavachari

For Respondent : Mr.G.Janakiraman

ORDER

This Revision is filed seeking for direction to XIV Assistant Judge, City Civil Court, Chennai, to dispose of I.A.4613 of 2013 in O.S.No.1683 of 2013.

2. Mr.V.Raghavachari, the learned counsel for the petitioners submitted that even though the petitioners were ready for disposal of the interim application, the application is being adjourned without any justifiable reason, which causes hardship to the petitioners.

3. Per contra, Mr.G.Janakiraman, the learned counsel for the respondent submitted that the application, filed by the petitioners under Order 7 Rule 11 C.P.C to strike off the plaint, was dismissed and the petitioners were set ex parte in the injunction application and also, the petitioners did not file their counter to the injunction application and the written statement. Hence, they were set ex parte. The learned counsel further submitted that for violation of the injunction order, the respondent has filed an application to punish the petitioners and the application is pending.

4. It is seen that the respondent filed the suit in O.S.No.1683 of

2013 against the petitioners for declaration, declaring that the order dated 15.02.2013 under reference No.14/13 passed by the 1st Defendant against the plaintiff as null and void and for permanent injunction.

5. The plaintiff also filed I.A.No.4613 of 2013 under Order 39 Rule 1 and 2 C.P.C seeking interim injunction. The trial Court has granted interim injunction on 03.07.2014 and subsequently, it was extended and the application was posted on 10.03.2015.

6. Considering the facts and the submissions of the learned counsel on either side, the XIV Assistant Judge, City Civil Court, Chennai, is directed to dispose of I.A.No.4613 of 2013, on merits and in accordance with law, as expeditiously as possible, preferably on or before 30.04.2015.

In the result, the civil revision petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

19.03.2015

Index : Yes/No
Internet: Yes/No
mrp/sms

K.KALYANASUNDARAM,J.

Mrp/sms

To

The XIV Assistant Judge,
City Civil Court,
Chennai.

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