

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2015

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(PD)No.1125 of 2015 &
M.P.Nos.1 & 2 of 2015

Siddique @ Abubakar

... Petitioner

v.

1.S.Antony Micheal
2.Reji Checko
3.P.C.Kurian
4.Robin Chacko
5.Rush Chacko
6.T.Robert Gnanasekaran

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, against the order passed by the learned Principal District Judge, Chengalpet in Memo in I.A.No.784 of 2014 in O.S.No.260 of 2014 in its order dated 26.02.2015.

For Petitioner : Mrs.Hema Sampath,
Senior counsel
for Mr.J.Saravanan

For Respondents : Mr.S.Antony Micheal

O R D E R

Heard Mrs.Hema Sampath, learned Senior Counsel appearing for the petitioner and Mr.S.Antony Micheal, learned counsel appearing for the respondents.

2. Challenging the order passed by the Principal District Judge, Chengalpet in Memo in I.A.No.784 of 2014 in O.S.No.260 of 2014, the 6th defendant has filed the above Civil Revision Petition.

2. The plaintiff filed the suit in O.S.No.260 of 2014 for permanent injunction, recovery of possession and for mesne profits. In the said suit, the plaintiff filed an application in I.A.No.784 of 2014 praying for interim injunction till the disposal of the suit. Though the trial court granted an order of interim injunction in the said application, since it was omitted to be extended on 17.07.2013, the plaintiff filed a memo before the trial court for extending the interim order till 18.11.2014. Recording the memo, the trial court extended the interim order on 26.02.2015

3. Mrs.Hema Sampath, learned Senior Counsel appearing for the petitioner submitted that the trial court ought not to have extended the interim order after a lapse of one year, that too, when the defendants have filed their counter. The defendants also filed their response to the memo

filed by the plaintiff objecting to the extension of interim order.

4. Since it is brought to the notice of this court by the learned counsel on either side that the defendants have already filed their counter in I.A.No.784 of 2014, I am of the view that without going into the merits of the case, the trial court may be directed to dispose of the application on merits and in accordance with law, within a stipulated time.

5. Accordingly, I direct the Principal District Court, Chengalpet to dispose of the application in I.A.No.784 of 2014 in O.S.No.260 of 201 on merits and in accordance with law, on or before 30.04.2015, without being influenced by any of the observations given in this Civil Revision Petition.

With this observation, the Civil Revision petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Index : No
Internet : Yes

13.04.2015

Note : Issue order copy on 15.04.2015

Rj

To
The Principal District Judge,
Chengalpet

M. DURAISWAMY,J.,

Rj

C.R.P.(PD)No.1125 of 2015 &
M.P.Nos.1 & 2 of 2015

13.04.2015