

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAIWAMY

C.R.P.(PD).No.1923 of 2015

Haji S.A.Jhan Mohammed

... Petitioner

Vs.

M/s.Sri Sakthi Shelters,
rep by its Partners
Mr.P.Venkateswaralu,
Mrs.P.Lakshmidevi
No.48, Bhagyalakshmi Nagar, Alapakkam,
Chennai - 600 116.

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India seeking to direct the Subordinate Judge, Tambaram to dispose of the I.A.No.942 of 2014 in O.S.No.250 of 2014 within specified time.

For Petitioner : Mr.S.Sethuraman

ORDER

The defendant in O.S.No.250 of 2014 on the file of the Subordinate Judge, Tambaram, has filed the above Civil Revision Petition to direct the trial Court to dispose of the application in I.A.No.942 of 2014 in O.S.No.250 of 2014 within a stipulated time.

2.The plaintiff filed a suit in O.S.No.250 of 2014 for permanent injunction. In the said suit, the plaintiff filed an application under Order 39 Rule 1 & 2 of the Code of Civil Procedure in I.A.No.942 of 2014 for interim injunction. The trial Court granted an order of interim injunction in favour of the plaintiff.

M.DURAI SWAMY, J.

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3.The learned counsel for the petitioner submitted that in view of the order of interim injunction granted by the trial Court, the defendant is put to hardship and prejudice. Further, the learned counsel submitted that the defendant had already filed his counter in I.A.No.942 of 2014 and that the application is ripe for enquiry.

4.Having regard to the submission made by the learned counsel for the petitioner, taking into consideration the limited prayer sought for in the Civil Revision Petition, without expressing any opinion with regard to the merits of the case, I direct the Subordinate Judge, Tambaram, to dispose of the application I.A.No.942 of 2014 in O.S.No.250 of 2014, on merits and in accordance with law, on or before 30.06.2015.

5.With this observation, the Civil Revision Petition is disposed of. No costs.

Index : No
Internet : Yes
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30.04.2015

To
The Subordinate Judge, Tambaram.

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