

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2015

CORAM

The Hon'ble Mr.Justice D.Hariparanthaman

C.R.P(PD)No.3142 of 2015

and

M.P.No.1 of 2015

A.Chandrasekaran

...Revision Petitioner/Plaintiff

Vs

M.Jones

.... Respondent/Defendant

Civil Revision Petition filed against the order and decreetal order, dated 17.09.2014, in C.M.A.No.123 of 2009, on the file of the III Additional Judge, City Civil Court, Chennai, in confirming the judgment and decree, dated 26.10.2009, passed in I.A.No.17979 of 2009, in O.S.No.9368 of 2009, on the file of XV Assistant Judge, City Civil Court, Chennai.

For Revision Petitioner : M/s.AL.Ganthimathi

O R D E R

The plaintiff in O.S.No.9368 of 2009, on the file of XV Assistant Judge, City Civil Court, Chennai, is the revision petitioner herein. The revision petitioner/plaintiff filed the said Suit for the relief of permanent injunction, restraining the defendant/respondent from in any manner, interfering with his peaceful possession and enjoyment of the suit property. Pending the Suit, the revision petitioner/plaintiff filed Interlocutory Application No.17979 of 2009, under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, seeking interim injunction. The Trial Court, by order, dated 26.10.2009, dismissed the said Application. Challenging the same, the revision petitioner/plaintiff filed C.M.A.No.123 of 2009, before the Lower Appellate Court. The Lower Appellate Court too, vide judgment, dated 17.09.2014, dismissed the Civil Miscellaneous Appeal, confirming the order passed by the Trial Court. Aggrieved by the same, the plaintiff/revision petitioner has filed the present Revision Petition.

2. Heard the learned counsel appearing for the revision petitioner.

3. The learned counsel for the revision petitioner has fairly submitted that, if this Court deems fit that the judgment passed by the Lower Appellate Court is sustainable, then the Civil Revision Petition may be dismissed, but, prayed that the suitable direction may be issued to the Trial Court to complete the trial in O.S.No.9368 of 2009, and dispose of the Suit within the time limit, as stipulated by this Court.

4. In view of the above submission, the Civil Revision Petition is dismissed, with a direction to the Trial Court to complete the trial in O.S.No.9368 of 2009 expeditiously, and dispose of the Suit within a period of six months from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

sd

To

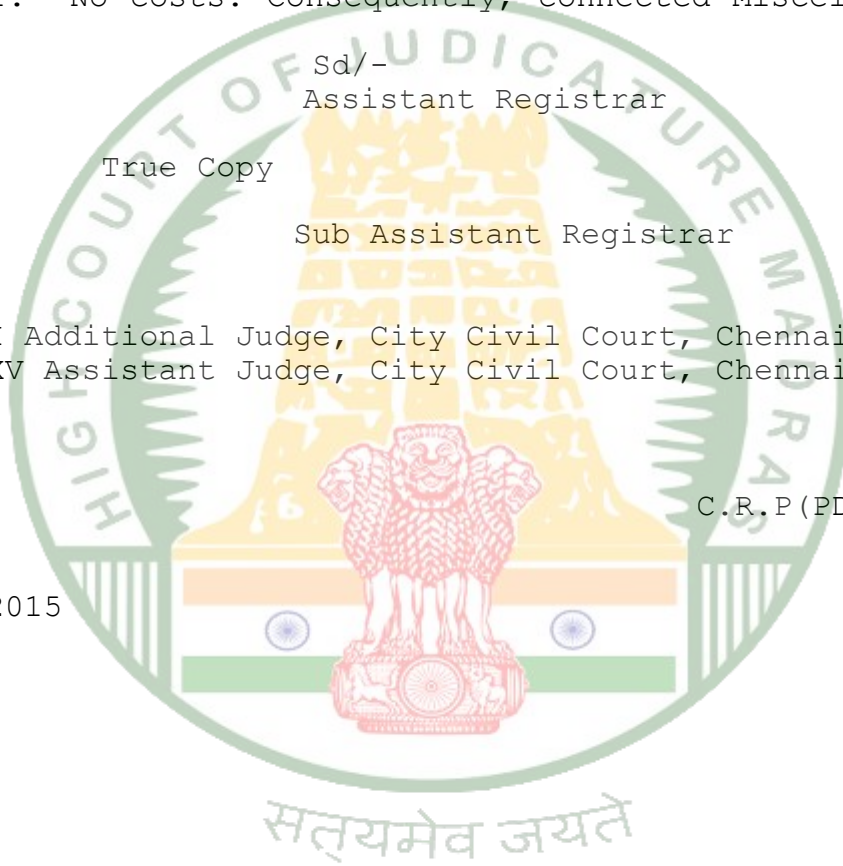
1. The III Additional Judge, City Civil Court, Chennai.

2. The XV Assistant Judge, City Civil Court, Chennai.

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