

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.12.2015

CORAM

THE HONOURABLE Ms. JUSTICE R.MALA

C.R.P.(PD).No.3806 of 2015

and

M.P.Nos.1 and 2 of 2015

M/s.Chennai School of Ship Management Pvt. Ltd.,
Rep. by its Managing Director G.V.Ramani Gopal,
No.95, "Kshastriya", Vijaya Shanthi Habitat,
2nd Main Road, Rajiv Nagar,
Perungudi, Chennai - 600 096.

..Petitioner

/vs/

M/s.CSC Trust
Rep. by its Trustee Rohit K.Chidambaram
No.38, II Line Beach Road,
Chennai - 600 001.

..Respondent

PRAYER :Civil Revision Petition is filed under Article 227 of the Constitution of India, against the fair and decreetal order dated 03.09.2015 made in I.A.No.546 of 2015 in O.S.No.143 of 2015 on the file of the Subordinate Court at Chengalpattu.

For Petitioner	: Mr.R.Subramanian for Mr.Venkataswamy Babu
For Respondent	: Mr.R.Thiyarajan

ORDER

This Civil Revision Petition has been filed challenging the impugned order passed in I.A.No.546 of 2015 in O.S.No.143 of 2015 on 03.09.2015 for appointment of Advocate Commissioner Suo Moto by the learned Subordinate Judge, Chengalpattu.

2.Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3.At the time of argument, the learned counsel for the petitioner/Defendant fairly conceded that already Advocate Commissioner has been appointed, he inspected the property and filed a report. Hence, he sought for early disposal of I.A.No.546 of 2015 within the fixed time and also pray for liberty to file an objection for the Advocate Commissioner's report.

4.The learned counsel for the respondent/plaintiff has no objection for early disposal of I.A.No.546 of 2015.

5.Considered the rival submission made by both sides and perused the typed set of papers.

6. On perusal of the records, it shows that the petitioner herein as a plaintiff has filed a suit in O.S.No.25 of 2015 on the file of the District Munsif Court, Thirukazhikunram for bare injunction restraining the defendant from interfering his peaceful possession except by due process of law. He also filed I.A.No.129 of 2015 for injunction, wherein notice has been ordered and after that only, the present suit in O.S.No.143 of 2015 has been filed by the respondent/plaintiff for bare injunction. Along with the suit, he filed I.A.No.546 of 2015, wherein ad-interim injunction has been granted. The revision petitioner/defendant has entered appearance and filed his counter on 03.09.2015.

7. Considering the facts and circumstances of the case, it is a fit case for giving direction to the Principal Subordinate Court, Chengalpattu for early disposal. Accordingly, the Presiding Officer, Principal Subordinate Court, Chengalpattu is directed to dispose of I.A.No.546 of 2015 in O.S.No.143 of 2015 on the file of the Principal Subordinate Court, Chengalpattu and I.A.No.129 of 2015 in O.S.No.25 of 2015 on the file of the District Munsif Court, Thirukazhikunram, which was transferred to the Principal Subordinate Court, Chengalpattu within one month from the date of receipt of a copy of this order.

R.MALA, J.

cse

8.With the above direction, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

07.12.2015

Index: Yes/No
Internet:Yes/No
cse

To

The Principal Subordinate Court, Chengalpattu.

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and
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