



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2015

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

C.R.P. (MD).NO.2735 of 2014 and

M.P. (MD).No.2 of 2014

The Executive Officer,
Arulmigu Nageswaran Temple,
Kumbakonam.

..Revision Petitioner/1st Defendant

vs.

1.T.Ramalingam

..1st Respondent/Plaintiff

2.The Assistant Commissioner,
H.R & C.E., Nageswaran North Street,
Kumbakonam.

3.The Joint Commissioner,
H.R & C.E., Pattamangala Street,
Mayiladuthurai.

..2nd & 3rd Respondents/2nd & 3rd Dedendants

PRAYER: This Civil Revision Petition filed under Article 227 of Constitution of India against the order dated 19.11.2014 made in C.M.A.No.26 of 2014 on the file of the II Additional District Judge, Thanjavur reversing the order passed in I.A.No.8 of 2014 in O.S.No.206 of 2012 dated 24.06.2014 on the file of the Additional Subordinate Judge, Kumbakonam.

For Petitioner	: Mr.S.Manohar
For R1	: Mr.G.Gomathi Shankar
For R2 and R3	: No appearance

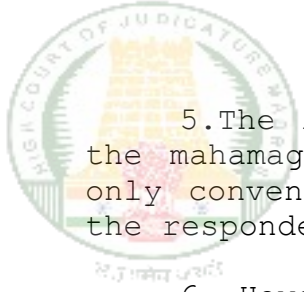
O R D E R

By consent of both sides, the civil revision petition is taken up for final hearing.

2.This revision is directed against the order of interim injunction from restraining the respondents in any way interfering or intermeddling with the suit property, which is in possession of the plaintiff.

3.The trial Court granted interim injunction till the disposal of the suit, which was challenged in C.M.A.No.26 of 2014 before the II Additional District Judge, Thanjavur. The Appellate Court also confirmed the order of injunction granted by the trial Court. Aggrieved by the same, the defendant, which is the temple in Kumbakonam has come forward with this revision.

4.The suit is of the year 2012, which is filed for permanent injunction restraining the respondents from in any way interfering or intermeddling with the peaceful possession and enjoyment of the suit property by the plaintiff.



5.The learned counsel for the petitioner contended that in view of the mahamagam, which is said to be celebrated this month and he wants only convenient passage to enter and exit using the suit property. But the respondent's counsel was not agreeable and opposed the same.

6. However, I am not discussing about the merits of the case now and I am not giving any findings or directions regarding the same. Both the counsels agreed for an early disposal of the suit.

7.The learned counsel for the petitioner represents that there is no presiding officer in the Additional Sub Court, Kumbakonam. Therefore, the suit may be transferred to the Principal Sub-Court, Kumbakonam.

8.In view of the above request, the suit is to be transferred from the Additional Subordinate Court, Kumbakonam to the file of the Principal Sub-Court, Kumbakonam and the Principal Subordinate Judge, Kumbakonam is directed to dispose of the suit in O.S.No.206 of 2012, on or before 31.03.2015. Status quo as on date is to continue till the disposal of the suit.

With the above direction, the civil revision petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar

To

- 1.The II Additional District Judge, Thanjavur.
- 2.The Additional Subordinate Judge, Kumbakonam.
- 3.The Principal Subordinate Judge, Kumbakonam.

+1cc to Mr.S.Manohar, Advocate in SR.5824

+1cc to Mr.G.Gomathi Sankar, Advocate in SR.5961

C.R.P. (MD) .No.2735 of 2014
09.02.2015

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