



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 03.02.2015

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

C.R.P (MD) No.677 of 2014

and

M.P (MD) No.1 of 2014

P.Parvathy (died)

1.K.Thangaraj

2.K.Murugan

3.Kuruvammal

4.Perumal

5.Lalitha

6.Manivannan

... Petitioners

Vs.

1.Devadhass

2.Alagar Ramanujam

... Respondents

(Cause-title accepted vide order, dated 12.02.2013)

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India against the Judgment and Decree, dated 01.12.2009 made in C.M.A.No.14 of 2008 on the file of the Sub Court, Theni in confirming the fair and decreetal order, dated 29.06.2007 made in I.A.No.92 of 2007 in O.S.No.43 of 2007 on the file of the District Munsif cum Judicial Magistrate Court, Andipatti.

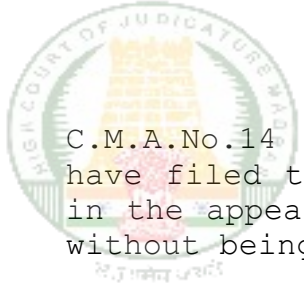
For Petitioner : Mr.K.Govindarajan

For RR 1 & 2 : No appearance

ORDER

The revision petitioners, who are the plaintiffs, have filed the above Civil Revision Petition challenging the Judgment and Decree passed in C.M.A.No.14 of 2008 on the file of the Sub Court, Theni and the fair and decreetal order passed in I.A.No.92 of 2007 in O.S.No.43 of 2007 on the file of the District Munsif cum Judicial Magistrate Court, Andipatti.

2. The plaintiffs have filed the suit in O.S.No.43 of 2007 along with I.A.No.92 of 2007 under Order 39 Rules 1 & 2 of the Code of Civil Procedure, 1908 for the relief of temporary injunction restraining the defendants from disturbing the possession and use of the third item of the suit property. The said application was dismissed on 29th June, 2007. Aggrieved by the said order, a Civil Miscellaneous Petition was filed in C.M.A.No.14 of 2008 and the same was dismissed on 01.12.2009, confirming the order of the trial Court. Against the Judgment and Decree passed in



C.M.A.No.14 of 2009, which was passed in the year 2009, the plaintiffs have filed the above Civil Revision Petition. After the Judgment rendered in the appeal, for more than five years, the matter had been kept pending without being numbered.

3. The learned counsel appearing for the petitioners fairly concedes the above facts and seeks a direction to dispose of the suit itself at the early date.

4. Without going into the merits of the case, the District Munsif, Andipatti is directed to dispose of the suit on or before 31st July, 2015.

5. This Civil Revision Petition is disposed of, accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/
Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

To

1.The District Munsif cum
Judicial Magistrate Court,
Andipatti.

2.The Sub Court,
Theni.

+lcc to Mr. K.Govindarajan, Advocate in SR.No. 4803

TS/23.02.2015/2P-4C

C.R.P (MD) No.677 of 2014

03.02.2015