

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

CIVIL REVISION PETITION Nos.4697 & 4699 of 2015

COMMON ORDER:-

These two Civil Revision Petitions are preferred challenging the docket order dated 30.10.2015 passed in I.A.No.210 of 2015 in C.M.A.No.18 of 2015 and I.A.No.209 of 2015 in C.M.A.No.17 of 2015 respectively, whereunder, the lower appellate Court, in I.A.No.209 of 2015 in C.M.A.No.17 of 2015, passed the following order:-

"Notice given. Sri I.Ramesh, filed Vakalath for respondent. But, there is no representation from respondent. For counter in the meantime the respondent is directed not to interfere with petitioner's possession. Ad-interim injunction is granted till 23.11.2015 as there is prima-facie case. Call on 23.11.2015.

Pronounced in the open Court on this the 30th day of October, 2015."

2. Heard both sides.

3. As per the submissions of Sri M.M.Firdous, advocate for the petitioner in both these civil revision petitions, the main grievance of the revision petitioner is that trial Court granted injunction in favour of the petitioner on merits in I.A.No.281 of 2014 in O.S.No.81 of 2014 and I.A.No.337 of 2014 in O.S.No.91 of 2014 and the aggrieved parties preferred CMAs and in the said CMAs, interim injunction is granted against the revision petitioner and that order is *prima facie* illegal and improper.

4. On the other hand, advocate for the respondent in both these civil revision petitions submitted that the main appeal is posted to 23.11.2015 before the Court below and interim order is also up to that date only and instead of going into merits of the matter, the Court below may be directed to dispose of both the CMAs on merits, which would meet the ends of justice.

5. I find some force in the submission of the advocate for the respondents. Since interim injunction is only up to 23.11.2015 only, I deem it appropriate to direct the Court below to dispose of both the CMAs on merits as expeditiously as possible and till then, both parties shall maintain *status quo* as on this day till the disposal of both the CMAs by the Court below.

6. Both the Civil Revision Petitions are disposed of accordingly. There shall be no order as to costs.

7. Miscellaneous petitions, if any, pending in both these civil revision petitions, shall stand dismissed.

Justice S. Ravi Kumar

19th November, 2015

Bvv