

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2016

C O R A M

THE HONOURABLE Mrs.JUSTICE **PUSHPA SATHYANARAYANA**

C.R.P.P.D.No.530 of 2014
and M.P.No.1 of 2014

K.Kandasamy

.. Petitioner

-Vs.-

1. Marimuthu
2. Irua Gounder @ Gopi
3. E.Murugesan
4. Palanisamy
5. Marimuthu
6. Irua Gounder
7. Murugesan
8. Nallirusa Gounder
9. Subramani
- 10.Palaniappan
- 11.Irua Gounder
- 12.Chinna Thambi
- 13.Ammasi
- 14.Palanisamy
- 15.Ravi
- 16.Chinnathayee

.. Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 25.10.2013 passed in C.M.A.No.5 of 2013 on the file of the Subordinate Judge, Sankari reversing the fair and decretal orders dated 18.09.2012 passed in I.A.No.1573 of 2011 in O.S.No.319 of 2011 on the file of the District Munsif Court, Sankari.

For petitioner ... Mr.P.Jagadeesan

For Respondents
1 to 16 ... Mr.K.A.Vimalkumar

ORDER

This Civil Revision Petition has been filed against the order dated 25.10.2013 passed by the learned Subordinate Judge, Sangakiri reversing the order dated 18.09.2012 passed by the learned District Munsif, Sangakiri in I.A.No.1573 of 2011 in O.S.No.319 of 2011.

2. The plaintiff has preferred this revision contending that the trial Court had granted an injunction based on the revenue records. However, the Appellate Court found that the same records, which are in the names of the vendor of the plaintiff, cannot be accepted.

3. The contention of the revision petitioner is that his kist receipts and adangal extract has been filed to prove his possession. But, it has not been considered by the Appellate Court stating that the said documents are standing in the name of the plaintiff's vendor.

4. Merely because the documents were standing in the name of the plaintiff's vendor, the learned Appellate Court vacated the injunction. However, considering the fact that the suit is pending from the year 2011, this Court directs the learned District Munsif, Sangakri to dispose of the suit on or before 31.03.2017, after giving sufficient opportunity to both the parties. The plaintiff and the defendants are directed to extend their co-operation for the early disposal of the suit and the parties are also directed to maintain status-quo as on date till the disposal of the suit.

5. With the above directions, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

20.12.2016

srn

To

1. The Subordinate Judge, Sankari
2. The District Munsif, Sankari

PUSHPA SATHYANARAYANA.J

srn

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