

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 3-11-2016

CORAM

THE HON'BLE JUSTICE T. MATHIVANAN

CIVIL REVISION PETITION No.1378 of 2012

and

M.P.No.1 of 2012

1. Joseph Annusamy Mudaliar,
S/o. Pappa Thambi Mudaliar @ Divy Iyya Mudaliar.

2. Lagadiah,
S/o. Joseph Annusamy Mudaliar,

3. Marie Joseph Divi,
S/o. Joseph Annusamy Mudaliar,

4. Antony Raja,
S/o. Cyril Iyyasamy

All are residing at
No.56, Muthrappalayam road,
Mudaliar Garden,
Oulgaret Post,
Puducherry-605010.

..Petitioners/Respondents/

Respondents/Defendants

Vs

S.Latha,
W/o.Gopinath,
Rep. by her Power of Attorney Agent,
V.Gopinath,
S/o. Vasudevan,
Flat No.9, D.No.20, Anu Avenue Apartments,
Anthoniar Koil Street,
Reddiarpalayam,
Puducherry 605 010.

... Respondent/Appellant/
Petitioner/Plaintiff

Civil revision petition filed under Article 227 of the Constitution of India, against the Judgment and decree dated 27.08.2010 made in C.M.A.No.24 of 2006 by the Additional Sub Judge, Puducherry, reversing the order of the Principal District Munsif, Puducherry dated 27.8.2010 made in I.A.No.2063 of 2006 in O.S.No.1034 of 2006.

For Petitioners : Mr.T.M.Navin
For Respondent : Mr.D.Ravichander

ORDER

The Judgment and decree dated 27.08.2010 and made in C.M.A.No.24 of 2006 on the file of the learned Additional Sub Judge, Puducherry, reversing the fair and decretal order dated 27.8.2010 and made in I.A.No.2063 of 2006 in O.S.No.1034 of 2006, on the file the Principal District Munsif, Puducherry are now challenged in this Civil Revision Petition.

2. . The revision petitioners herein are the defendants in the suit in O.S.No.1034 of 2006, whereas the respondent is the plaintiff.

3. When this Civil Revision Petition came up for hearing on 1.11.2016 Mr. T.N.Navin learned counsel representing for the petitioners had suggested that already this Court had granted an interim order of status quo, directing the parties to this Civil Revision Petition to maintain status quo as on 8.6.2012.

4. In this connection, he would submit that this civil revision petition may be disposed of directing the trial Court to dispose of the Suit within a prescribed time

limit to be fixed by this Court.

5. However, learned counsel for the respondent had submitted that she had to get instructions from her senior counsel. Therefore, the matter was directed to be listed on 2.11.2016. The matter was not listed on 2.11.2016 instead it was listed on 3.11.2016, when the matter is taken up learned counsel appearing for the revision petitioners has made an endorsement stating that that this Civil Revision Petition could be disposed of with a direction to the parties to maintain status quo till the disposal of the main suit and the suit might be ordered to be disposed of by the trial court within a period of four months.

6. The endorsement made by the learned counsel appearing for the petitioners is recorded.

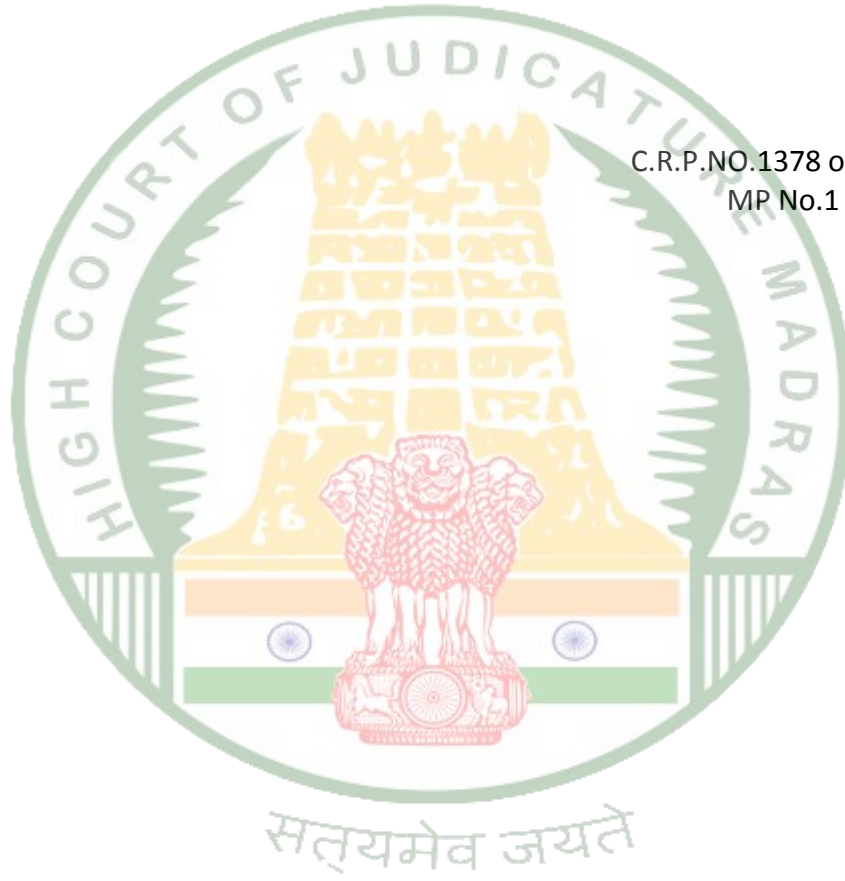
7. In view of the endorsement as well as the suggestion made by the learned counsels appearing for the petitioners and the respondent, this Civil Revision Petition is disposed of with a direction to both parties to maintain status quo till the disposal of the suit and the trial Court is also directed to dispose of the Suit on merits within a period of four months from the date of receipt of a copy of this order. However, there will be no order as to costs. Connected M.P.No.1 of 2012 is closed.

3.11.2016

Index:- yes/no

<http://www.judis.nic.in> Internet: Yes/no

T.MATHIVANAN,J



C.R.P.NO.1378 of 2012 &
MP No.1 of 2012

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