

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **28.09.2016**

CORAM:

THE HONOURABLE MR.**JUSTICE K.K.SASIDHARAN**

C.R.P.(P.D.) No.2097 of 2016 and
CMP.No.10954 of 2016

1.Valarmathy
2.Sasikala
3.P.Arumaikumar
4.Suganthi

...Petitioners

versus

1.P.Sudarsanam
2.S.Shanthi

...Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decreetal order dated 24.02.2016 made in C.M.A.No.74 of 2015 by the learned XV Additional City Civil Judge, Chennai by reversing the fair and decreetal order made in I.A.No.428 of 2015 in O.S.No.207 of 2015 on the file of the XVI Assistant City Civil Judge, Chennai.

For Petitioners : Mr.P.Gunaraj

For Respondents :Mr.S.Ganesh

ORDER

This Civil Revision Petition is directed against the order dated 24.02.2016 in C.M.A.No.74 of 2015 on the file of learned XV Additional

City Civil Judge, Chennai reversing the order in I.A.No.428 of 2015 in O.S.No.207 of 2015 on the file of the XVI Assistant City Civil Judge, Chennai.

2. The petitioners have filed a suit for injunction before the Trial Court. In the said suit, the petitioners have filed an interlocutory application in I.A.No.428 of 2015 in O.S.No.207 of 2015 and obtained an order of interim injunction. The interim order was subsequently, vacated by the first Appellate Court by judgment dated 24.02.2016 in CMA.No.74 of 2015. The said judgment is under challenge in this Civil Revision Petition.

3.The learned counsel appearing for the petitioners contended that the petitioners are in possession of a portion of the suit property while the other portion is in the possession of the respondents.

4.The learned counsel appearing for the respondents fairly conceded to the above said factual position.

5. There is no question of granting injunction at this point of time. The parties jointly submitted that the pleadings have already been

completed and the suit is now ripe for trial. The status quo of the property is now very clear inasmuch as the petitioners are in possession of one portion while the other portion is in the possession of the respondents. The said status quo will continue till the disposal of the suit. The learned trial Judge is directed to dispose of the suit in O.S.No.207 of 2015 as expeditiously as possible and in any event, on or before 31.03.2017.

6.The Civil Revision Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

28.09.2016

Index:Yes/No
dn

To
1.The XV Additional City Civil Judge,
Chennai

2.The XVI Assistant City Civil Judge,
Chennai.

K.K.SASIDHARAN, J.

(dn)

C.R.P.(P.D.) No.2097 of 2016

28.09.2016