



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.07.2016

CORAM

WEB COPY **THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM**

C.R.P. (MD) No.1419 of 2016

Subramanian

.. Petitioner/Petitioner/ Appellant

Vs.

Sivaraman

... Respondent/Respondent/Respondent

**Prayer:** Petition filed under Article 227 of Constitution of India to direct the learned Subordinate Judge, Srivilliputhur to dispose of the Interlocutory Application in I.A.No.76 of 2016 in C.M.A.No.4 of 2016 pending on his file within the time frame.

For Petitioner : Mr.K.Sudalaiyandi

**ORDER**

This Revision is filed praying a direction to the Subordinate Court, Srivilliputhur to dispose of the application in I.A.No.76 of 2016 in C.M.A.No.4 of 2016 within a time frame.

2. Mr. K.Sudalaiyandi, learned counsel for the petitioner would submit that the respondent filed a suit against the petitioner before the Principal District Munsif Court, Srivilliputhur for declaration declaring that the drainage channel situated in between the houses of the respondent and the petitioner is a common drainage and consequentially, permanent injunction. The respondent also filed an application in I.A.No.255 of 2016 for ad-interim injunction.

3. It is further submitted that the respondent has prayed for interim injunction in respect of the drainage channel. However, the learned Principal District Munsif granted injunction restraining the petitioner from put up construction in his property, which is in finishing stage. Aggrieved over the order, the petitioner has preferred an appeal before the Subordinate Court, Srivilliputhur and also filed an application in I.A.No.76 of 2016 for stay of the proceedings.

4. The respondent has also filed a counter and the case is posted for further hearing on 05.08.2016. Further delay, would cause serious prejudice to the petitioner.

5. Considering the above said submissions and without going into the merits of the case, the Subordinate Court, Srivilliputhur is directed to dispose of the application in I.A.No.76 of 2016 in C.M.A.No.4 of 2016 as expeditiously as possible on or before 31.08.2016.



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6. With the above directions, the Civil Revision Petition is disposed of. No costs.

Sd/  
Assistant Registrar(CS-I)

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/TRUE COPY/

Sub Assistant Registrar

To  
The Subordinate Judge,  
Srivilliputhur.

+1cc to M/S.K.Sudalaiyandi, Advocate in SR.No.37974

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20.07.2016

pmu  
PA/SK-SKN/SAR III/22.07.2016/2P/3C (IT)