



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2016

CORAM:

THE HONOURABLE MS.JUSTICE V.M. VELUMANI

CRP(MD).No.2562 of 2016

Rajesh : Petitioner/Respondent/4th Defendant
Vs.

Athisayaraj Yabesh : Respondent/Petitioner/Plaintiff

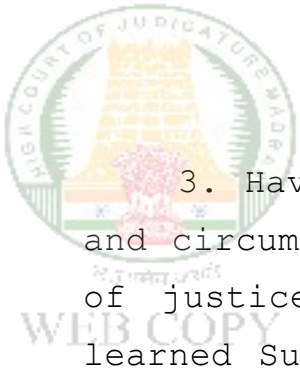
Prayer: The Civil Revision Petition is filed under Article 227 of the Constitution of India against the frequent adjournments in I.A.No.890 of 2016 in O.S.No. 270 of 2016 on the file of the Sub Court, Thoothukudi.

For Petitioner : Mr. M.P. Senthil

O R D E R

This Civil Revision Petition is filed against the frequent adjournments in I.A.No.890 of 2016 in O.S.No. 270 of 2016 on the file of the Sub Court, Thoothukudi.

2. According to the petitioner, the respondent filed I.A.No. 890 of 2016 for temporary injunction. In the said application, the petitioner herein filed counter in the month of September 2016. In spite of the counter being filed by the petitioner, the learned Judge extending the interim order without hearing the application and application is being adjourned. He has also filed "B" diary and stated that learned Judge adjourning the Interlocutory Application for clarification from 05.10.2016 to till date. He further contended that the learned Judge did not consider the Order 39 Rule 3A of CPC. Therefore, the petitioner has come out with the present Civil Revision Petition.



3. Having been taken into consideration of the material facts and circumstances, this Court is of the view that in the interest of justice, it may be expedient to issue a direction to the learned Subordinate Judge, Thoothukudi. Accordingly, this Civil Revision Petition is allowed and the learned Subordinate Judge, Thoothukudi, is directed to dispose of the I.A.No.890 of 2016, as expeditiously as possible in any event not later than 30th January 2017. No costs.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

The Subordinate Judge, Thoothukudi.

+1 cc to M/S.M.P.SENTHIL, Advocate SR.No.1807

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SMA/MPA/SAR-2/25.01.2017:2P/3C