

**HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN  
AND  
HON'BLE SRI JUSTICE R.KANTHA RAO**

**C.M.A.No.736 of 2015**

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**JUDGMENT:** *(per V.Ramasubramanian, J.)*

This miscellaneous appeal is directed against the fair and decretal order, dated 17.08.2015 passed by the trial Court dismissing the application for injunction filed by the appellants/plaintiffs.

2. Heard the learned counsel on both sides.
3. The suit was filed in the year, 2014. The appellants never had the benefit of any interim order of injunction. Now a period of 2 years has passed. The pleadings in the suit are completed. The suit is ripe for trial. Therefore, at this stage, it is not possible to grant an injunction.
4. However, it is submitted by the learned counsel for the appellants/plaintiffs that some construction activities are going on and that the defendants should not claim any equity later on. Therefore, it is made clear that even while dismissing the appeal the respondents cannot claim any equity on the basis of any construction or development undertaken by them during the pendency of the suit.
5. The appeal is dismissed with the above observations and the trial Court shall endeavour to dispose of the suit within a period of six months. There shall be no order as to costs.

The miscellaneous petitions, if any, pending in this appeal

shall stand closed.

**V.RAMASUBRAMANIAN, J.**

R.KANTHA RAO, J.

**28<sup>th</sup> April, 2016.**  
**ccm**

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(per VRS, J.)

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