

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.04.2017

CORAM:

THE HON'BLE MR. JUSTICE **M.SUNDAR**

C.R.P.(PD) No.1198 of 2017

1.Gomathi

2.Muthu

..Petitioners

Vs.

1.Gandhi

2.The District Collector,
Villupuram District,
Villupuram.

3.The Tahsildar,
Sankarapuram Taluk Office,
Sankarapuram,
Villupuram District.

.. Respondents

The Civil Revision has been filed under Article 227 of the Constitution of India against the interlocutory application pending before the District Munsif Court, Sankarapuram in I.A.No.559 of 2016 in O.S.No.46 of 2016.

For Petitioner : Mr.A.G.Rajan

ORDER

Two plaintiffs in the trial court are the two revision petitioners before this

Court.

2 The main suit has been filed by the plaintiffs with a prayer for bare injunction qua possession with regard to the suit property.

3 The suit was filed on 22.2.2016. Along with the suit, an interlocutory application, namely, I.A.No.559 of 2016, was taken out, under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908 ("C.P.C.", for brevity), with regard to prayer to protect the possession pending suit.

4 It is seen from the records, particularly, the order sheet in the trial court that the interlocutory application is pending from 7.9.2016. There have been more than 14 hearings and the matter has been adjourned for one reason or the other.

5 Considering the nature of the prayer in the main suit, nature of the prayer in the interlocutory application, nature of the order I propose to pass and the fact that this civil revision petition has been filed under Article 227 of the Constitution of India (COI), this Court is of the view that there may be no necessity to put the respondents on notice in this revision petition. It would suffice if a direction is given to the trial court, namely the District Munsif Court, Sankarapuram, to hear and dispose of the interlocutory application within a fortnight from the date of receipt of a copy of this order.

6 The trial court, namely, the District Munsif Court, Sankarapuram, is directed to dispose of I.A.No.559 of 2016 in O.S.No.46 of 2016, within a fortnight (two weeks from the date of receipt of a copy of this order). The civil revision petition is disposed of with the above direction.

03.04.2017

Index : Yes/No

vvk

Note to Office :
Issue order copy on 04.04.2017.

To

The District Munsif Court,
Sankarapuram.

M.SUNDAR, J.

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