

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2017

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

C.R.P.(PD).No.1256 of 2014
and
M.P.No.1 of 2014

1. Jaganathan
2. Rangasamy
3. Pappusamy
4. Chinnasamy
5. Palanisamy
6. Chinna Chenna Naicker
7. Rangasamy

.. Petitioners

Vs.

1. T.R.Jayaprakash
2. K.K.Palanisamy

.. Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decretal order dated 04.12.2013 made in C.M.A.No.11 of 2012 on the file of the Sub-Court, Gobichettipalayam, against the fair and final order dated 28.08.2012 passed in I.A.No.495 of 2012 in O.S.No.129 of 2012 on the file of the District Munsif Court, Gobichettipalayam.

For petitioners : Mr.V.Anandhamurthy

For respondents : Mr.V.Ragunathan for Mr.S.Dhanasekaran for R-1

ORDER

The revision is directed against the grant of injunction by the appellate Court, in a suit for permanent injunction restraining the defendants from interfering with the plaintiff's peaceful possession of the

suit property. Pending suit, I.A.No.495 of 2012 (in O.S.No.129 of 2012) was filed by the plaintiff for grant of injunction. But the same was dismissed by the trial Court. However, on appeal in C.M.A.No.11 of 2012 on the file of the Sub-Court, Gobichettipalayam, the appellate Court granted temporary injunction and also directed the disposal of the suit within a period of six months. The said order of the appellate Court was passed on 04.12.2013. But there is no progress in the suit. In view of the pendency of this CRP, though there is no interim stay in this CRP, the suit has not been taken up. When there is no specific order of stay, the trial Court may not have waited for the disposal of the CRP, especially when there is specific direction by the appellate Court itself for disposal of the suit within six months. Nevertheless, the trial Court is now directed to dispose of the said suit in O.S.No.129 of 2012 before 30.06.2017 and report compliance to this Court. With this direction, the Civil Revision Petition is disposed of. No costs. Consequently, the miscellaneous petition is closed.

27.01.2017

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Copy to

1. The Sub-Judge, Gobichettipalayam.
2. The District Munsif, Gobichettipalayam.

PUSHPA SATHYANARAYANA, J

CS

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