

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2017

CORAM :

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

CRP (PD) No.4053 of 2017

and

C.M.P. No.18953 of 2017

1. Selvaraj
2. Thirumurugan
3. Thangadurai
4. Mariappan
5. Sivakumar
6. Palanisami
7. Kuppusami
8. Elumalai
9. Arapulli
10. Chinnapaiyan
11. Kali Goundar
12. Sanjeev Ghandhi
13. Thangarasu
14. Maharajan
15. Duraisami
16. Kannan

..Petitioners

Vs.

1. Sampooranam
2. P. Ganesh

..Respondents

Prayer:- The Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and final order dated 07.04.2017 made in CMA No.1 of 2016 on the file of the Principal Subordinate Court, Salem confirming the fair and final order dated 11.08.2015 in I.A. No.11 of 2015 in O.S. No.8 of 2015 on the file of the I Additional District Munsif Court, Salem and pass such further orders.

For Petitioners : Mr. K. S. Karthik Raja

For Respondents : Mr. V. Regunathan

ORDER

This Civil Revision Petition is filed against the fair and final order dated 07.04.2017 made in CMA No.1 of 2016 on the file of the Principal Subordinate Court, Salem confirming the fair and final order dated 11.08.2015 in I.A. No.11 of 2015 in O.S. No.8 of 2015 on the file of the I Additional District Munsif Court, Salem.

2. The learned counsel for the petitioners would submit that the respondents have filed the suit in O.S. No. 8 of 2015 before the 1st Additional District Munsif Court, Salem. The trial court granted an order of interim injunction in favour of the plaintiffs/ respondents.

Aggrieved by the same, the petitioners herein filed an appeal in C.M.A No. 1 of 2016 before the Principal Subordinate Judge, Salem. The said

appeal was also dismissed by the Appellate Court. Challenging the same, the present revision petition is filed.

3. According to the petitioners, both the courts have failed to appreciate the case of the revision petitioners. It is the submission of the petitioners that granting of interim orders pending the suit, would affect the right of the petitioners over the suit properties. The learned counsel for the petitioners submitted that now the suit has been taken up for trial and is posted for cross examination of PW-1.

4. The learned counsel for the respondents/ plaintiffs would submit that to meet the ends of justice, this Court may pass appropriate orders to the court below to dispose of the said suit within a time frame.

5. Considering the submission of the learned counsel for the parties and the stage of the suit, wherein the plaintiffs have been examined and the suit is posted for cross examination of PW-1 and the respondents has obtained interim injunction on 11.08.2015 and the same is in force, in the interest of both the parties, this Court is

<http://www.judis.nic.in> inclined to direct the trial court to dispose of the suit in O.S. No. 8 of 2015, as expeditiously as possible, preferably within a period of six

months from the date of receipt of a copy of this order. On instructions, the learned counsel for both the parties undertake to co-operate with the proceedings, for early disposal of the suit.

6. The Civil Revision Petition is disposed of, with the above directions. Consequently, the connected Miscellaneous Petition is closed. No costs.

17.11.2017

Index :Yes/No

[Issue order copy within one week]

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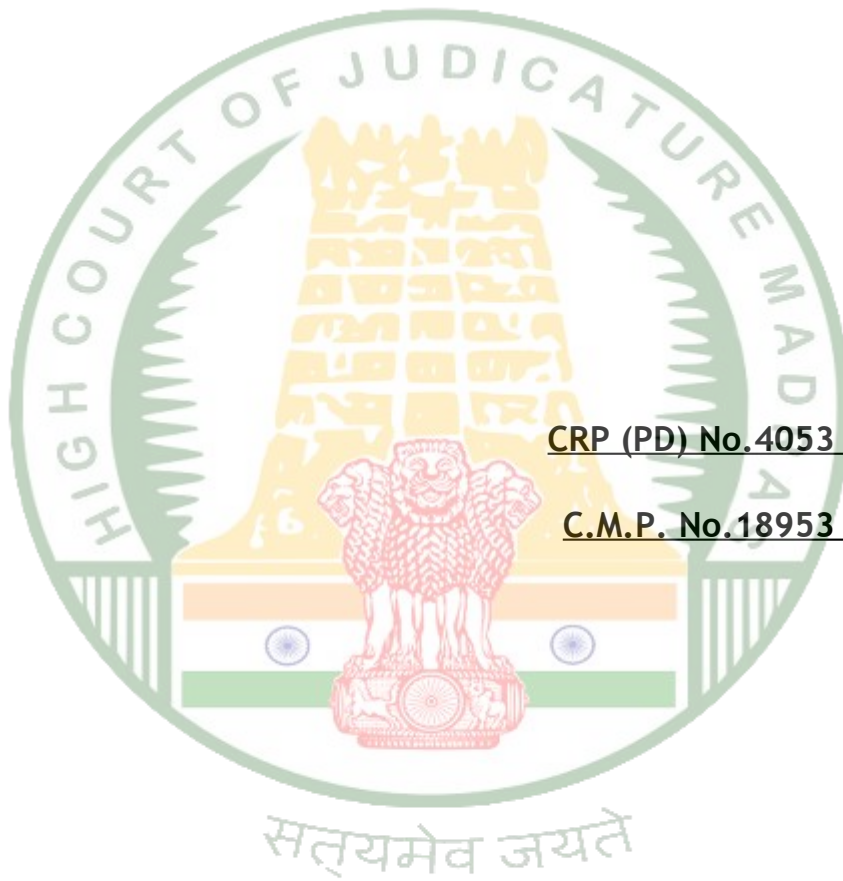
To

The 1st Additional District Munsif Court,
Salem.

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D.KRISHNAKUMAR,J.

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