

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP (PD)No.4346 of 2017

1.Chandrasekar
2.Adhimoolam
3.Thandavamoorthy

.. Petitioners

Vs

1.Poonachari
2.Raman
3.Balu
4.Venkatesh
5.Thangavel
6.Chinnaraj
7.Raghavan
8.Sugumar

.. Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the docket order dated 10.08.2017 made in I.A.No.51/2017 in O.S.No.9 of 2017 on the file of learned Subordinate Judge, Harur.

For Petitioners : Mr.K.Thiruvengadam

ORDER

This Civil Revision Petition is filed to set aside the the docket order dated 10.08.2017 passed in I.A.No.51/2017 in O.S.No.9 of 2017 on the file of learned Subordinate Judge, Harur.

2. According to the learned counsel for the petitioner, the petitioners have filed a suit in O.S.No.9 of 2017 before the Subordinate Court, Harur, seeking partition and permanent injunction. They have filed an application in I.A.No.51 of 2017 in O.S.No.9 of 2017 under Order 39 Rules 1 & 2 and 151 of C.P.C.to restrain the respondents from making any encumbrance the suit schedule property in the office of the Sub-Registrar, Morappur, Harur Taluk till the disposal of the suit. In the said application, an observation was made that the suit itself is ripe for trial and the same was closed subject to the result of the suit. Challenging the said order, the present civil revision petition is filed before this Court.

3. The Court below had closed the application with the specific finding that any alienation pending on the suit will be subject to the result of the suit. Therefore, there is no warrants to interfere with the order passed by the court below.

4. In view of the observation made by the court below, this civil revision petition is dismissed. No costs.

05.12.2017

Index : Yes/No

Internet : Yes/No

kkd

D.KRISHNAKUMAR,J

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To

The Subordinate Judge,
Harur.



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