

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2017

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

C.R.P.(PD).No.476 of 2017
and
C.M.P.No.2305 of 2017

Thulasi Lakshmanan

.. Petitioner

Vs.

1. Thirumaran
2. Sumathi
3. Jothi Baskaran
4. Valampuri
5. Gnanapandian

.. Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India against the judgment and decree dated 10.01.2017 passed in C.M.A.No.14 of 2012 on the file of the Additional Sub-Court, Pondicherry, against the fair and decretal order dated 30.04.2012 passed in I.A.No.3448 of 2011 in O.S.No.1837 of 2011 on the file of the 1st Additional District Munsif, Puducherry.

For petitioner : Mr.V.Lakshminarayanan

ORDER

The revision is filed by the first defendant in a suit for bare injunction

challenging the grant of injunction in favour of the plaintiffs by the trial Court. The injunction was also confirmed by the appellate Court. The grievance of the revision petitioner/first defendant is that while deciding the I.A., the appellate Court has given a finding regarding the decision in the main suit itself. According to the learned counsel for the petitioner, in a suit for bare injunction, discussion entered into by the appellate Court is irrelevant. However, without going into the merits of the case, considering the fact that the suit itself is of the year 2011 and the suit is filed only for bare injunction, the learned First Additional District Munsif, Pondicherry is directed to dispose of the suit in O.S.No.1837 of 2011, before 30.07.2017, uninfluenced by the findings already rendered by the appellate Court. With this direction, the Civil Revision is disposed of. No costs. Consequently, C.M.P. is closed.

14.02.2017

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Copy to

1. The Additional Sub-Judge, Pondicherry.
2. The First Additional District Munsif, Puducherry.

PUSHPA SATHYANARAYANA, J

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