

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2017

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(PD)No.943 of 2017 &

C.M.P.No.4661 of 2017

1.R.Gurumoorthy
2.G.Shanmugham.

... Petitioners

v.

1.The Head Master
Government High School
Egattur

2.The Chief Educational Officer
Thiruvallur District

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, praying for a direction, to dispose of the injunction application in I.A.No.1073 of 2016 in O.S.No.206 of 2016 on the file of the learned District Munsif Court at Tiruvallur as contemplated under Order 39, Rule 3A of the Civil Procedure Code.

For Petitioners : Mr.P.Vijandran
for Ms.C.S.Rajalakshmi

ORDER

The plaintiffs in O.S.No.206 of 2016 on the file of District Munsif Court, Tiruvallur, have filed the above Civil Revision Petition to direct the Trial Court to dispose of the Injunction Application in I.A.No.1073 of 2016, within a time frame.

2. The plaintiffs filed the suit in O.S.No.206 of 2016 for permanent injunction. The defendants filed their written statement and are contesting the suit. In the said suit, the plaintiffs have also filed an application in I.A.No.1073 of 2016, under Order XXXIX, Rule 1 and 2 of CPC.

3. The learned counsel appearing for the revision petitioners submitted that though the defendants entered appearance in the Injunction Application, they have not filed their counter and the matter is being adjourned periodically, which caused hardship and prejudice to the plaintiffs.

4. Having regard to the submissions made by the learned counsel appearing for the petitioner and also taking into consideration the limited prayer sought for in the Civil Revision Petition, without expressing any opinion with regard to the merits of the case, I direct the District Munsif Court, Tiruvallur, to dispose of the Injunction Application in I.A.No.1073 of 2016 in O.S.No.206 of 2016, on merits and in accordance with law, on or before **28.04.2017**.

With this observation, the Civil Revision Petition is disposed of.
No costs. Consequently, connected miscellaneous petition is closed.

15.03.2017

Index : Yes/No

Rj

To

The District Munsif Court,
Tiruvallur

M. DURAISWAMY,J.,

Rj

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