

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2017

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(PD) No.3933 of 2011

M.P.No.1 of 2011

1.Karthik
2.K.Santhakumari
3.Savithri @ B.Umarani
4.G.R.Arun
5.K.Aamsaveni
6.R.Prabhu
7.R.B.Rajkumar
8.G.Santha
9.D.Susila

.. Petitioners

1.D.B.Krishnan (Deceased)
2.V.Vimalarani
3.R.Anusha
4.Srimanjula

.. Respondents

(RR4 brought on record as legal heir
of the deceased 1st respondent vide
order of this Court dated 14.09.2017
made in C.M.P.Nos.3898 &
3899/2017 in C.R.P.No.3933/2011.)

PRAYER: Civil Revision Petition filed under Article 227 of the
Constitution of India, against the fair and decretal order in
I.A.No.2009 of 2007 in O.S.No.1872 of 2007 filed by the

respondent no.1 herein pending on the file of the First Additional District Munsif, Coimbatore.

For Petitioners : Mr.V.Lakshminarayanan
for D.Arokia Mary Sophia

For R1 : Died
For R2 & R3 : No appearance
For R4 : Mr.Srinath Sridevan

ORDER

This Civil Revision Petition has been filed against the fair and decretal order in I.A.No.2009 of 2007 in O.S.No.1872 of 2007 filed by the respondent no.1 herein, pending on the file of the First Additional District Munsif, Coimbatore.

2. The learned counsel appearing for the respondents submitted that the first respondent filed suit in O.S.No.1872 of 2007, on the file of the First Additional District Munsif, Coimbatore, for declaration and permanent injunction against the petitioners and respondents 2 and 3. In the said suit, the first respondent also filed I.A.No.2009 of 2007 for interim injunction. By the order dated 29.08.2007, interim injunction was granted.

3. Against the said order made in I.A.No.2009 of 2007 in O.S.No.1872 of 2007, the petitioners have filed the present Civil Revision Petition.

4. Heard the learned counsel appearing for the petitioners and fourth respondent and perused the materials available on record.

5. When the Civil Revision Petition is taken up for hearing, the learned counsel appearing for the fourth respondent, who is legal heirs of the first respondent submitted that the order of interim injunction granted in I.A.No.2009 of 2007 may be set aside and a direction may be issued to the lower Court to dispose of the suit as expeditiously as possible. He has also made an endorsement to that effect.

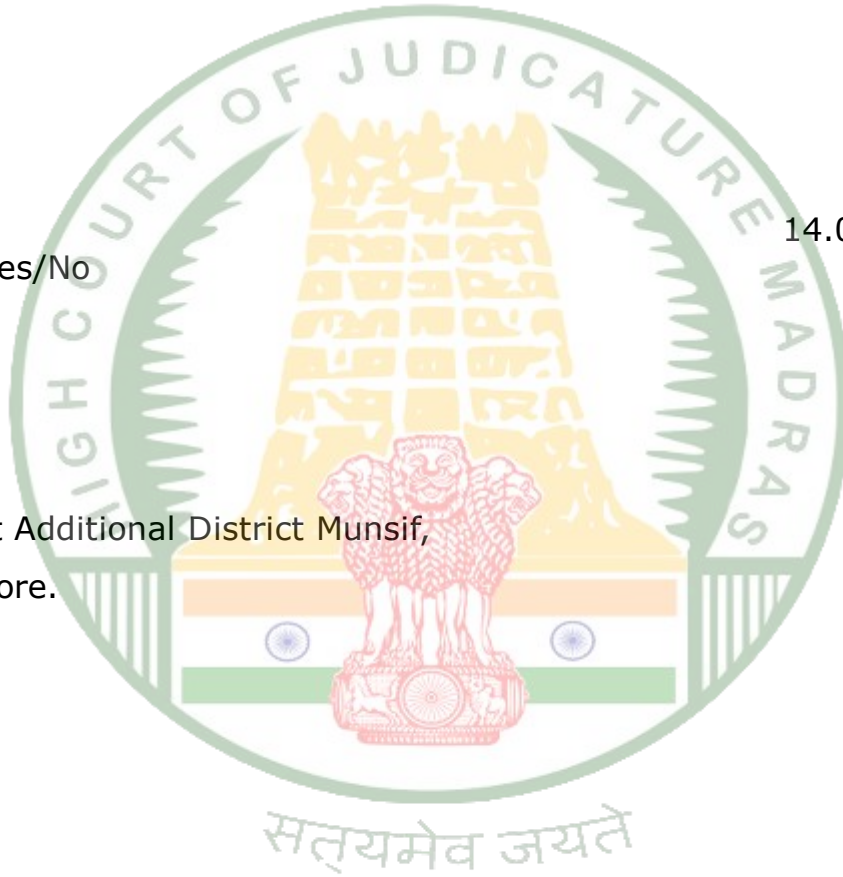
6. In view of the submission and recording the endorsement made by the learned counsel appearing for the fourth respondent, without deciding the matter on merits, the Civil Revision Petition is disposed of, setting aside the order made in I.A.No.2009 of 2007.

The learned First Additional District Munsif is directed to dispose of the suit as expeditiously as possible in any event not later than five months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Index: Yes/No
gsa

14.09.2017

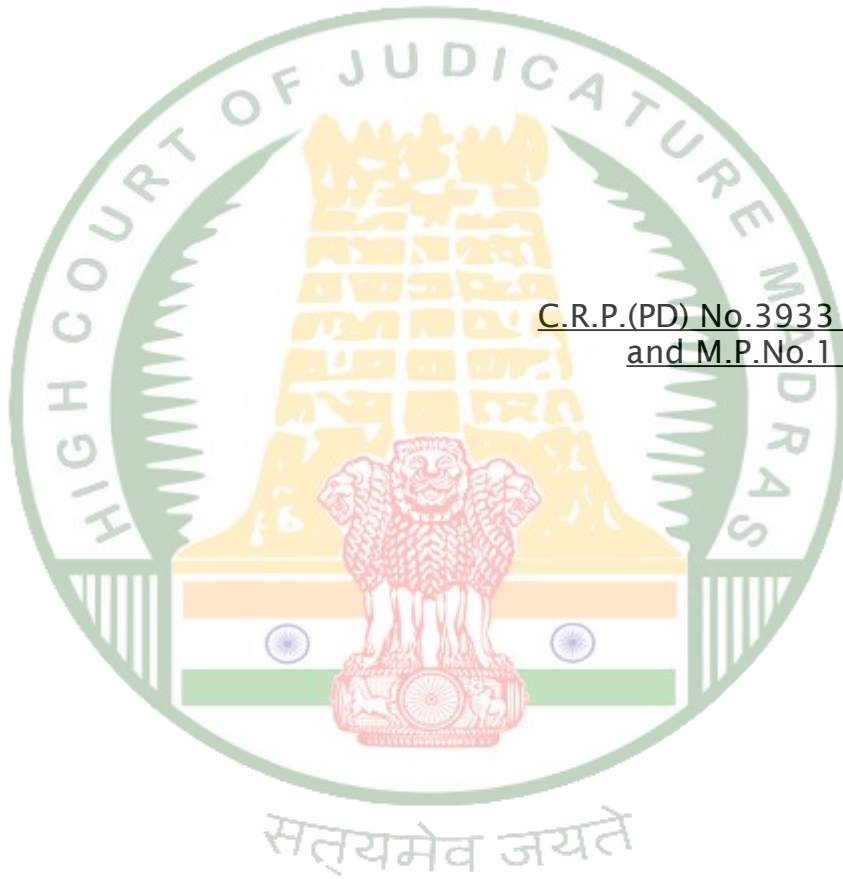
To
The First Additional District Munsif,
Coimbatore.



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V.M.VELUMANI,J.

gsa



C.R.P.(PD) No.3933 of 2011
and M.P.No.1 of 2011

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