

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04.04.2017**

CORAM:

THE HONOURABLE MR.**JUSTICE K.K.SASIDHARAN**

C.R.P.(P.D.) No. 2730 of 2013 and
MP.No.1 of 2013

K.Sridhar

...Petitioner

Vs

Arulappan

...Respondent

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India against the order and decree dated 11.07.2012 made in CMA No.4 of 2010 on the file of learned Sub Judge, Thiruppathur, confirming the order and decree dated 27.01.2010 made in I.A.No.1026 of 2009 in O.S.No.363 of 2009, on the file of the District Munsif, Thiruppathur.

For Petitioner : Mr.D.Ravichander

ORDER

The petitioner filed a suit for injunction against the respondent in O.S.No.363 of 2009 before the learned District Munsif, Thiruppathur. The petitioner, along with the civil suit, filed an application for temporary injunction in I.A.No.1026 of 2009. The application was dismissed by the trial Court. The order dated 27 January 2010 was unsuccessfully challenged before the Subordinate Court, Thiruppathur in CMA No.4 of 2010. Feeling aggrieved by the judgment and decree in CMA No.4 of 2010, the unsuccessful appellant is before this Court.

K.K.SASIDHARAN,J.

gms

2. Heard the learned counsel for the petitioner. None appears on behalf of the respondent.

3. The petitioner filed the suit in O.S.No.363 of 2009 for injunction. The prayer in the application I.A.No.1026 of 2009 was to grant an order of interim injunction. The trial Court having found that the petitioner has not established a *prima facie* case and that the balance of convenience was not in his favour, dismissed the said application. The order was confirmed by the first appellate Court by giving reasons. It is not for this Court to re-appreciate those reasons for arriving at a different conclusion. There is absolutely there is no merit in the contention taken by the petitioner.

In the upshot, I dismiss the civil revision petition. No costs. Consequently, connected miscellaneous petition is closed.

04.04.2017

Gms

To

- 1.The Sub Judge, Thiruppathur.
- 2.The District Munsif, Thiruppathur.

C.R.P.(P.D.) No. 2730 of 2013

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