



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.12.2017
CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (PD) (MD) No.2608 of 2017

1.Mr.T.Udaya Sankar
2.Mr.Kannaram

... Petitioners

-vs-

T.Velsankar

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the petition order dated 18.12.2017 in I.A.No.24 of 2017 in O.S.No.10 of 2017 on the file of District Judge, Tuticorin.

For Petitioner : Mr.K.Govindarajan

ORDER

The Revision Petitioner has filed the suit for permanent injunction. Pending suit, he took out an application for temporary injunction. The matter was referred to mediation. Mediation failed. Thereafter, the learned Trial Judge appears to have summarily closed the injunction application. This is clearly not sustainable in law.

2.The learned Trial Judge shall hear both parties and give disposal of the I.A.No.24 of 2017 in O.S.No.10 of 2017 on merits. The impugned order closing I.A.No.24 of 2017 is set aside. The learned Trial Judge is directed to restore I.A.No.24 of 2017 on file and dispose of the same, after hearing both the parties.

3.This Civil Revision Petition is allowed accordingly.No costs.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

The District Judge, Tuticorin.

+1cc to M/S.K.GOVINDARAJAN, Advocate SR.No.94898.

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