



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2017

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P (MD) No.295 of 2017 (PD)

S. Jeinulabudeen

.. Petitioner

Vs.

1.Sameen

2.Thameem

3.Sirajudeen

4.Mansoor

5.Ethreesh

6.M.Kadar Masthan

... Respondents

PRAYER: Civil Revision Petition is filed, under Article 227 of the Constitution of India, to direct the learned Subordinate Judge, Uthamapalayam, to dispose the I.A.No.437 of 2015 in O.S.No.343 of 2015 pending on its file, within a time frame as may be fixed by this Court.

For Petitioner : Mr.R. Suriyanarayanan

ORDER

The petitioner has filed this Civil Revision Petition, to direct the learned Subordinate Judge, Uthamapalayam, to dispose of I.A.No.437 of 2015 in O.S.No.343 of 2015, within the stipulated period of time.

2. The revision petitioner, who is the plaintiff, filed suit in O.S.No.343 of 2015, on the file of the learned Subordinate Judge, Uthamapalayam, against the respondent, restraining them from interfering with the rightful possession and enjoyment of the suit property. Along with the suit, the petitioner filed I.A.No.437 of 2015, for temporary injunction. After issuing notice to the respondent, the said Interlocutory Application was posted on 30.11.2015 and on that date, the respondent appeared and took time for filing counter. Subsequently, the counter was filed on 15.12.2015. The petitioner did not let in any oral evidence, but, marked 19 documents as Exs.P1 to P19 and Interlocutory Application was posted for arguments. Thereafter, the matter was adjourned for more than 40 times for the arguments of the respondents side and finally, the matter was posted for orders on 22.04.2016. From that



date onwards, no order was passed in the said Interlocutory Application.

3. In the circumstances, the petitioner has come out with the present revision.

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4. I have heard the learned counsel appearing for the petitioner and perused the materials available on record.

5. Taking into consideration the material facts and circumstances, this Court is of the view that in the interest of justice, it may be expedient to issue a direction to the learned Subordinate Judge, Uthamapalayam. Accordingly, this Civil Revision Petition is allowed and the learned Subordinate Judge, Uthamapalayam is directed to dispose of I.A.No.343 of 2015 in O.S.No.343 of 2014 as expeditiously as possible, in any event, not later than 31st March 2017. No costs.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

The learned Subordinate Judge, Uthamapalayam.

Trp
MAS/CM-MSA:07.03.2017:2P/2C

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