



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2017

CORAM:

THE HONOURABLE MS.JUSTICE V.M. VELUMANI

CRP(MD) No. 386 of 2017 (PD) and
CMP(MD) No. 1885 of 2017

Usilampatty Nattathi Hindu Nadargal
Uravinmurai Peravai, Usilampatti, Reg.
No.98/91, Rep. by its President,
Mr.B.JeyarajanPetitioner/Petitioner/

Plaintiff

Vs.

1.Usilampatty Kshatriyakula Nattathi
Nadarkal Uravinmurai(Regd. No.442/91)
Rep. by its Secretary
2.Vijayapandiyan
3.G. Jeyabharathi
4.K.S. Raja
5.M.S.R. Lakhsmanan
6.MAKT Chandra Bose
7.G. Subramanian
8.T.T. Gnanavel Pandian
9. Paulraj
10.S.S. Vallinayagam
11.Jeyaraman
12.TPL Pandi
13.P C RajendranRespondents/Respondents/

Defendants

Prayer: This Civil Revision Petition is filed under Article 227 of Constitution of India against the order and Decreetal Order made in I.A. No.21 of 2012 in O.S. No.543 of 2012 on the file of the III Additional Sub Court, Madurai and to set aside the Impugned Order dated 16.08.2012.

For Petitioner

:Mr.V.Jeyachandran

**O R D E R**

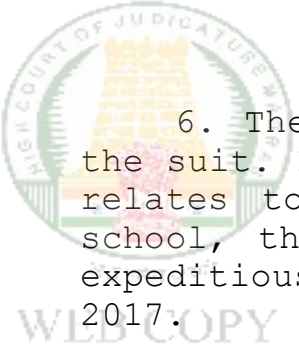
This Civil Revision is filed against the fair and Decreetal Order made in I.A. No.21 of 2012 in O.S. No.543 of 2012 on the file of the III Additional Sub Court, Madurai and to set aside the impugned Order dated 16.08.2012.

2. The revision Petitioner, who is the plaintiff filed suit in O.S.No.543 of 2102 on the file of the III Additional Sub Court, Madurai, filed the suit for declaration and injunction. According to the petitioner / Usilampatty Nattathi Hindu Nadargal Uravinmurai Peravai, Usilampatti, they are the owners of the suit property and they have right to manage the "Nadar Saraswathy Vidyasalai Elementary School", which was started in the year 1946. The respondents are rival group and registered Society with the office of the District Registrar, Chennai. Based on the said registration, the respondents are trying to interfere with management of Society and school belonging to the petitioner. The petitioner filed Writ Petition in W.P(MD).Nos.913 and 5186 of 1998 and this Court held that respondents can function only within the jurisdiction of the District Registrar, Chennai and they have no right to interfere with the properties of the petitioner and school. The said issue is now pending before the Hon'ble Apex Court and the Hon'ble Apex Court granted interim order and extended the same till the pendency of the appeals. The petitioner filed Interlocutory Application in I.A.No.21 of 2012 for an appointment of receiver / receivers to manage the all petition schedule properties, except the schools, under the control of the society, Registered in 35/61, including the Matriculation School and to render true account, pending disposal of the suit and the said application has been dismissed on 16.08.2012.

3. The petitioner is challenging the said order now.

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

5. The learned Judge considering all the materials on record and the fact that the Status quo order had been granted by the Hon'ble Apex Court, dismissed the I.A.No.21 of 2012 for an appointment of receiver / receivers. The petitioner is now challenging the said order. Further, the petitioner has not given any reason for not challenging the said order till date. In the circumstances, the Civil Revision Petition is dismissed as devoid of merits. No costs. Consequently connected Miscellaneous Petition is closed.



6. The petitioner is not in a position to tell the stage of the suit. In view of the fact that suit is of the year 2012 and it relates to management of the Society and Administration of the school, the learned Judge is directed to dispose of the suit as expeditiously as possible in any event not later than 31st August 2017.

Sd/-
Assistant Registrar (CS-III)
/True Copy/

Sub Assistant Registrar

To

The III Addl. Subordinate Judge, Madurai

+1cc to M/s. B.JAMEEL ARASU Advocate in SR. No.12518
+1cc to M/s.V.JEYACHANDRAN Advocate in SR. No.12453
TRP
JS/RR/SAR.2/7/04/2017/3P-4C

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