

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

Civil Revision Petition No.2375 of 2017

ORDER:

The revision arises out of an interim order of injunction granted by the trial Court pending a suit.

2. Heard Mr. J. Prabhakar, learned counsel for the revision petitioner and Mr. T. Ravikumar, learned counsel for the 1st respondent/plaintiff.

3. The 1st respondent in this revision filed a suit in O.S.No.372 of 2016 on the file of Junior Civil Judge, at Machilipatnam, praying for the following reliefs:

- (a) "To declare that the notification dt. 1.11.2016 which was posted on 7.11.2016 issued by the defendants to conduct 34th Sessions meeting of Krishna- Godavari Diocese to be held on 23.11.2016 and 24.11.2016 at Asirvad, HRD complex, Machilipatnam, is null and void';
- (b) To declare that the voters list prepared by the defendants for conducting elections to Krishna – Godavari Diocese counsel, as null and void;
- (c) Grant permanent injunction, restraining the defendants for conducting 34th Sessions council meetings of Krishna – Godavari Diocess on 23.11.2016 and 24.11.2016 for conducting election, till completion of investigation of Serious Fraud Investigation Agency, appointed by Ministry of Corporate Funds, Government of India."

4. Along with the suit, the petitioner also moved an application in I.A.No.739 of 2016 for interim injunction. The trial Court, on 22-11-2016, granted an *ex parte* interim order of injunction.

5. Aggrieved by the same, the petitioner came up with a revision seeking a direction to the Courts below to dispose of the application. A direction was also given.

6. After hearing arguments on 16-03-2017 and reserving orders, the Court below reopened the matter on 15-04-2017. Therefore, the defendants came up with the above revision challenging the very order of injunction.

7. On 28-4-2017, I ordered notice in the revision and also granted interim suspension of the order of injunction. Pursuant to the said interim order, the 34th sessions meeting of Krishna – Godavari Diocese is stated to have been held. This has compelled the respondent to file an application for amendment and the same is now pending.

8. In view of the above, nothing survives in the application for injunction filed by the respondent in I.A.No.739 of 2016. Therefore, I am of the considered view that the suit itself, can be directed to be disposed of within a time frame, after dealing with the application for amendment taken out by the respondent.

9. Hence, the Civil Revision Petition is disposed of directing the trial Court to dispose of the application for amendment first and thereafter take up the suit itself for disposal and endeavour to dispose it of within a period of four (4) months from the date of receipt of a copy of the order.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

Date: 13-10-2017

Ksn