

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2018

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

Civil Revision Petition (PD) No.190 of 2018

and

C.M.P.No.1074 of 2018

L.Suresh Reddy ... Petitioner/Petitioner

..Vs..

1.Krishnappa
2.Raja
3.Sujatha
4.Muthamma
5.Shilpa
6.Ramamani
7.Muthuraj
8.Annaiah@Nallappa
9.Kenchemma

... Respondents/Respondents

Prayer: This Civil Revision Petition has been filed under Article 227 of Constitution of India, against the fair and decretal order dated 10.10.2017 in I.A.No.304 of 2015 in I.A.No.641 of 2014 in O.S.No.145 of 2014 on the file of the District Munsif Court at Hosur, Krishnagiri District.

For petitioner : Mr.R.Jayaprakash

ORDER

Challenging the fair and decretal order dated 10.10.2017 in I.A.No.304 of 2015 in I.A.No.641 of 2014 in O.S.No.145 of 2014 on the file of the District Munsif Court at Hosur, Krishnagiri District, the present Civil Revision Petition has been filed by the plaintiff.

2. The petitioner/plaintiff has filed in I.A.No.304 of 2015 before the Court below under Order 39 Rule 2(A) C.P.C., seeking to send the respondents/defendants to the Civil Prison, for disobedience of the interim order granted by the Court below.

3. According to the petitioner the respondents are trespassed and interfering with petitioner's peaceful possession over the property, despite the order dated 10.10.2017. Therefore, he violates the interim order granted by the Court below, has dismissed the said application on the ground that the petitioner has not given any particulars in person to prove that the respondents have violated the interim order passed by the court below and therefore, in view of the above fact, the petitioner has not proved by way of oral and documentary evidence, that the respondent has violated the Court order. Therefore, this Court does not warrant to interfere with the order passed by the Court below.

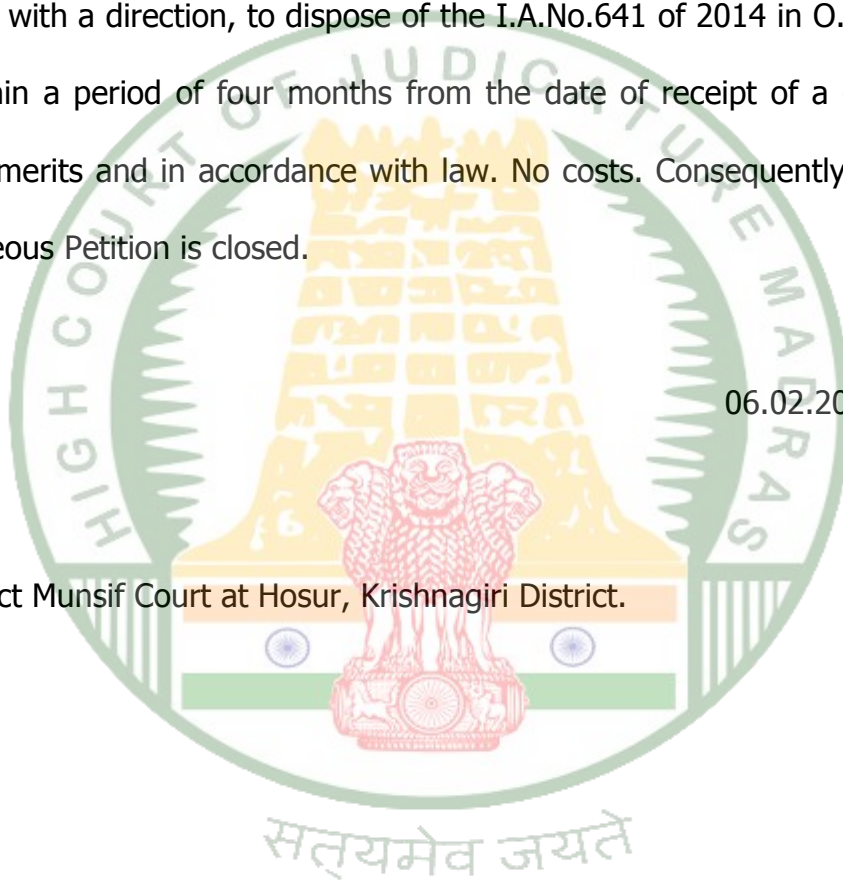
However, it is open to the petitioner to file a appropriate application before the Court below, if it is necessary at a later stage.

4. In the light of the above said fact, this Civil Revision Petition is dismissed with a direction, to dispose of the I.A.No.641 of 2014 in O.S.No.145 of 2014 within a period of four months from the date of receipt of a copy of this order on merits and in accordance with law. No costs. Consequently, connected Miscellaneous Petition is closed.

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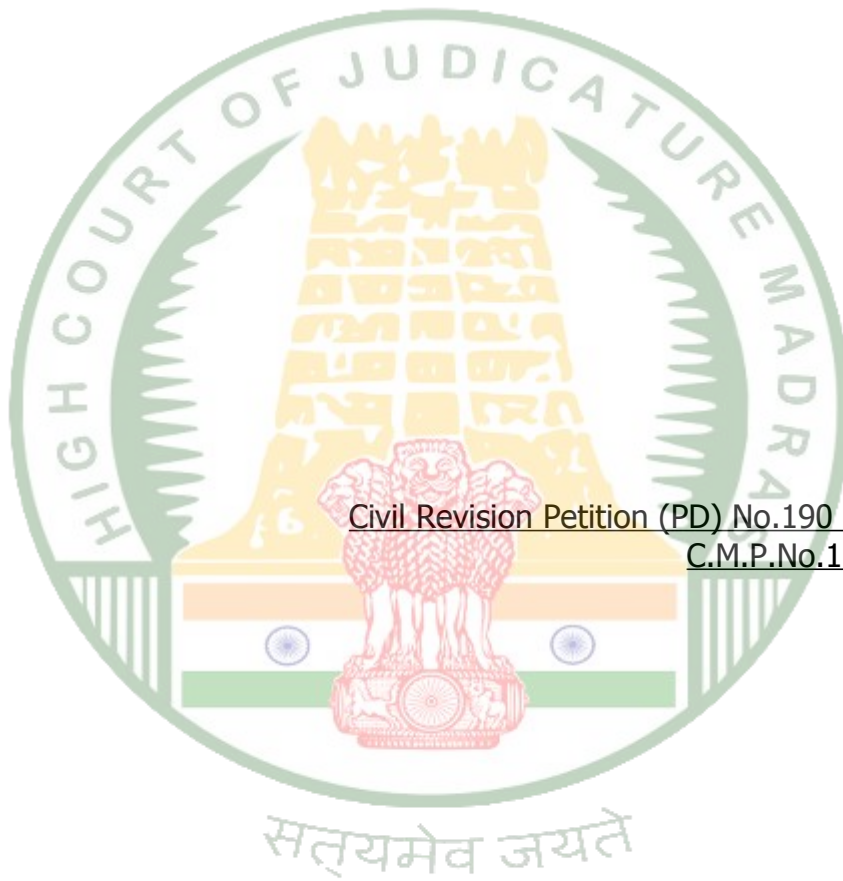
To
The District Munsif Court at Hosur, Krishnagiri District.



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D.KRISHNAKUMAR, J.,

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