

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED: 09.07.2018****CORAM:****THE HONOURABLE MR. JUSTICE P.VELMURUGAN****CRP (PD).No. 1925 of 2018**
and CMP. No.11139 of 2018

M/s.Priyaa Knit Faabs
rep. by its Partner
K. Mohanasundaram
S/o.N.Karuppasamy Gounder
having office at S.F.No.360/82
Dharapuram Main Road,
K.Chettipalayam, Tirupur-641608 .. Petitioner

Vs.

1.M/s.Grandway Incorporated
rep. by Kanwardeep Singh
having office at Near Dashmesh Cold Storage,
G.T.Road, Salem Tabri,
Ludhiana - 141 008.

2. M/s.Punjab National Bank
rep.by its Manager,
Chandigarh Main Road, Ludhiana
on A/c.of 2416008700006224
IFSC Code:n PUNB241600

3.M/s.HDFC Bank Limited
Tirupur Main Branch represented
by its Manager
having office at Mahaveer Colony
Aristo International Building,
Tirupur - 641 601.

4. M/s. Indian Bank
 IND MSME Branch,
 rep. by its Chief Manager,
 Court Street, Tiruppur - 641 601

.. Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India praying to set aside the docket order passed on 14.06.2018 in I.A. No.1418 of 2017 in O.S. NO. 281 of 2017 on the file of the II Additional District Judge, Tiruppur and allow the revision.

For Petitioner : Mr.R.Selvakumar

For Respondents :

ORDER

The revision petitioner has filed a suit against the respondents in O.S.No.281 of 2017 on the file of the II Additional District Judge, Tiruppur praying to declare that the letter of credit bearing reference No. 2222517DL0000011 dated 22.06.2017 issued by the 4th respondent infavour of the 1st defendant as null and void, which has been executed between Plaintiff and the 1st defendant. Subsequently, he has also filed an interlocutory application in I.A. No. 1418 of 2017 with a prayer to restrain the 4th respondent as not make payment as per the acceptance advise dated 28.06.2017 till pending disposal of the main suit. In the said interlocutory application, Ad Interim Injunction was granted to the revision

petitioner and the same has been extended from time to time. When lastly came up on 14.06.2018 for enquiry, the revision petitioner was absent and the respondent was present and therefore interim order was not extended by the trial Court. In the said suit, written statement has been filed even before the order of ad-interim injunction obtained by the petitioner.

2. It is an admitted fact that when a court grants ad-interim injunction, it should be finally decided within thirty days. In this case, it was not concluded within a period of thirty days, it was adjourned for enquiry several times. Lastly, when it was listed on 14.06.2018, taking advantage of obtaining the ad-interim injunction, the petitioner was not present and the respondent was present, therefore it was not extended by the trial Court on the said date.

3. Since the ad-interim injunction was extended even after a period of 30 days, the trial Court is directed to dispose of this application on or before 20.07.2018 after giving opportunity to both the parties on merits and in accordance with law and thereafter complete the suit in O.S. No.281 of 2017 pending on its file within a period of three months.

P.VELMURUGAN.J.,

ak

With the above directions, the revision petition is disposed of.
Connected Miscellaneous Petition is closed. No Costs.

09.07.2018

Internet: Yes/No

Index :Yes/No

***Note to Registry : Issue copy of this order
on 13.07.2018***

ak

To

The II Additional District Judge,
Tiruppur.

CRP (PD).No. 1925 of 2018
and CrI.MP. No.11139 of 2018