

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP (PD) No. 281 of 2018

S.R. Shyam Sundar .. Petitioner

Vs.

1. P.K. Sivakumar
2. P.K. Narayanan

3. State Bank of India
Stressed Assets Management Branch
Red Cross Building
No.32 Montieth Road
Egmore, Chennai -600 008.

4. Badrinarayana Choudhary
Director
Golden Shelters Private Ltd.,
33, Rutland Towers
Shafee Mohammed Road
Greems Road Post
Chennai - 600 006.

.. Respondents

PRAYER: This Civil Revision Petition is filed under Article 227 of the Constitution of India, to dispose of the Interim Application vide I.A. No.989 of 2017 in O.S.No. 415 of 2017 on the file of Principal District Munsif Court, Alandur within the time fixed by this Court.

For Petitioner : Ms. Y. Kavitha

ORDER

The present Civil Revision Petition is filed seeking to dispose of the I.A. No.989 of 2017 in O.S.No. 415 of 2017 on the file of Principal District Munsif Court, Alandur within the time fixed by this Court.

2. The petitioner has filed the suit in O.S.No. 415 of 2017 before the Principal District Munsif Court, Alandur for permanent injunction against the respondents. In the aforesaid suit the petitioner filed an Interlocutory Application in I.A. 989 of 2017 for interim injunction under Order 39 Rule 1&2 of CPC. The said application is pending. The 3rd respondent/ 3rd defendant also filed I.A. No. 1151 of 2017 under Order 7 Rule 11 of CPC and the said application is also pending. It is the case of the petitioner that without disposing the said Interlocutory Applications, the court below has posted the suit for filing written statement. Therefore, the present revision petition has been filed before this Court seeking the aforesaid prayer.

3. Considering the facts of the case and the submission of the learned counsel for the petitioner that the court below has proceeded with the suit, without disposing the pending applications in I.A. No. 989 of 2017 and 1151 of 2017, this Court is inclined to pass the following orders :

1. The District Munsif Court, Alandur is directed to dispose of the I.A. No. 989 of 2017 filed by the revision petitioner and the I.A. No.1151 of 2017 filed by the 3rd respondent herein, in accordance with law, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order.
2. On instructions, the learned counsel for the petitioner undertakes that the petitioner would file his written statement in I.A. No. 1151 of 2017, within a period of three weeks from the date of receipt of a copy of this order.

4. The Civil Revision Petition is disposed of, with the above directions. No costs.

29.01.2018

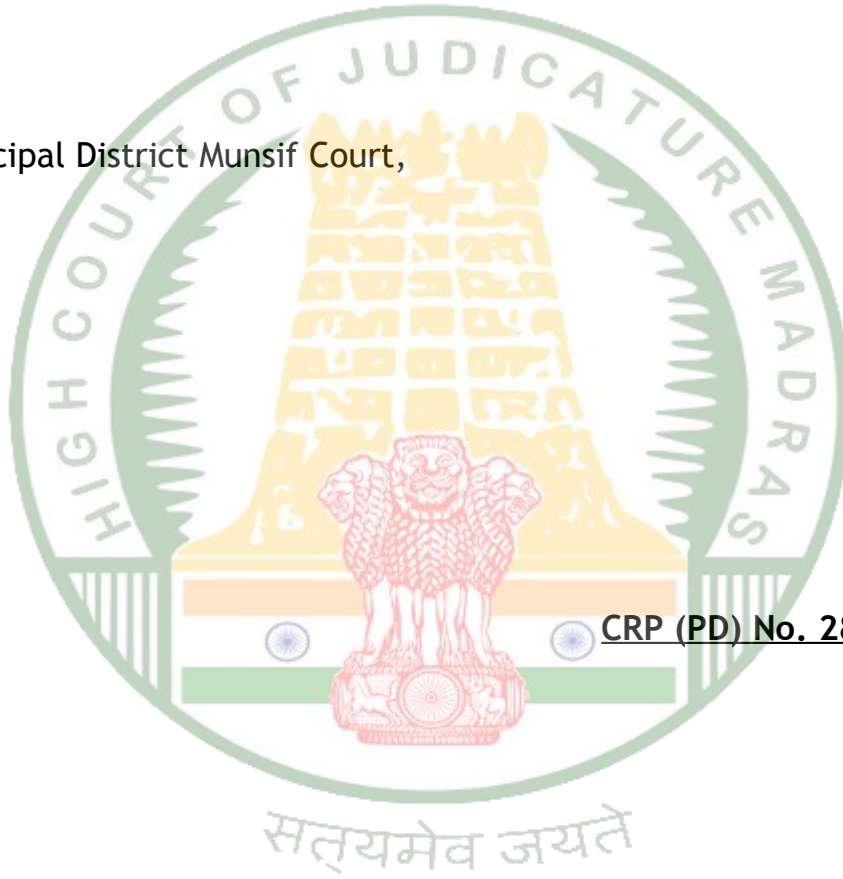
Index: Yes/ No

Speaking Order/Non Speaking Order

D. KRISHNAKUMAR J.,

avr

To
The Principal District Munsif Court,
Alandur.



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