

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2018

CORAM

THE HON'BLE MR. JUSTICE **D. KRISHNAKUMAR**

CRP.(PD).No.5 of 2018
and CMP.No.8 of 2018

M/s.Selva Gold Covering Pvt Ltd,
Rep.by its Manager, Saravanan,
No.47, Perumal Mudali Street,
Sowcarpet, Chennai - 600 079

..Petitioner

Vs.

1.Kishangopal

2.Govindnarayan

..Respondents

PRAYER:

The Civil Revision Petition is filed under Article 227 of the Constitution of India against the petition and orders dated 08.12.2017 made in IA.No.15392 of 2017 in OS.No.5829 of 2017 on the file of XVIII Assistant City Civil Court, Chennai

For petitioner : M/s.M.V.Venkateshan

ORDER

According to the revision petitioner, the respondents have filed a suit in OS.No.5829 of 2017 against the revision petitioner before the XVIII Assistant City Civil Court, Chennai for permanent injunction. In the aforesaid suit, the respondents have also filed an application in IA.No.15392 of 2017 for interim injunction. The court below has granted ex-parte interim injunction. The revision petitioner filed counter affidavit on 28.11.2017 by stating that the revision petitioner is neither a owner nor occupant of the suit property bearing Old.No.100, New No.340, Mint Street, Sowcarpet, Chennai - 600 079. Therefore, the respondents have unnecessarily impleaded the revision petitioner as party in the said suit. The said application is pending and in spite of the specific statements made by the revision petitioner, the court below has extended the interim order on 08.12.2017. Hence, challenging the said order, the revision petitioner has filed the present Civil Revision Petition before this Court.

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2. In view of the above said facts and submissions made by the learned counsel for the revision petitioner, the specific case of the revision petitioner is that the revision petitioner is not a owner nor occupant of the suit property. Therefore, the court

below is directed to dispose of the application in IA.No.15392 of 2017 in accordance with law within the period of four weeks from the date of receipt of a copy of this Order.

3. The Civil Revision Petition is disposed of with above direction. Consequently, the connected miscellaneous petition is closed. No costs.

02.01.2018

Speaking / Non Speaking order

Index :Yes/No

Internet :Yes/No

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Note: Issue order copy on 04.01.2018



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D.KRISHNAKUMAR.J,

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To
The XVIII Assistant City Civil Court,
Chennai

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