

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2018

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

Civil Revision Petition (PD) No.612 of 2018
and
C.M.P.No.3203 of 2018

Dr.P.Elangovan

... Petitioner

..Vs..

Venkatachalam (died)

1.Sadhu@Santhappan

2.Rathinasamy

3.Kalyani

4.Govindaraju

5.The Junior Engineer,
Tamil Nadu Electricity Board,
Ariyalaur

...Respondents

Prayer: This Civil Revision Petition has been filed under Article 227 of Constitution of India, against the fair and decretal order made in C.M.A.No.11 of 2012 dated 6.1.18 on the file of the Subordinate Judge, Ariyalur, revising the fair and decretal order made in I.A.No.249 of 2012 in O.S.No.214 of 2012 dated 20.09.2012 on the file of District Munsif Court, Ariyalur.

For petitioner	: Mr.S.Vijayakumar
For R1	: Mr.R.Anbazhagan - No appearance
For R2&R3	: Mr.S.Kamadevan

ORDER

Challenging the fair and decretal order dated 06.01.2018 made in C.M.A.No.11 of 2012, on the file of the Subordinate Judge, Ariyalur, revising the fair and decretal order made in I.A.No.249 of 2012 in O.S.No.214 of 2012 dated 20.09.2012 on the file of District Munsif Court, Ariyalur, the present Civil Revision Petition has been filed by the petitioner. At the stage of admission, this matter came up before this Court.

2. The respondent has filed C.M.A.No.214 of 2012, on the file of the District Munsif Court, Ariyalur. Earlier, the respondent and another filed O.S.No.214 of 2012 seeking for Permanent Injunction against the defendants. The petitioner herein in the aforesaid suit is the first respondent therein. The said Venkatachalam also filed I.A.No.249 of 2012 for interim injunction which was rejected by the Court below. Challenging the aforesaid order, the respondent has preferred in C.M.A.No.11 of 2012 before the Sub-Court, Ariyalur.

3. After hearing both the parties, the Sub-Court, Ariyalur has allowed the appeal and granted interim injunction in favour of the respondent. According to the learned counsel for the petitioner, the Court below, without appreciating the petitioner's case, allowed the application which is liable to be set aside at this stage.

4. The learned counsel for the respondent would submit that this may direct the Court below to dispose of the suit within the time as may be fixed.

5. In the light of the facts and submissions made by both the parties, I am inclined to pass the following order:-

i) As undertaken by both the parties, status-quo shall be maintained by both the parties, till the disposal of the main suit.

ii) On instruction, and in view of the undertaking given by both the parties, to co-operate for disposal of the suit, before the trial Court, the learned District Munsif, Ariyalur, is directed to dispose of the suit as expeditiously as possible on or before 30.04.2018.

5. With the above directions, this Civil Revision Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

16.02.2018

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To

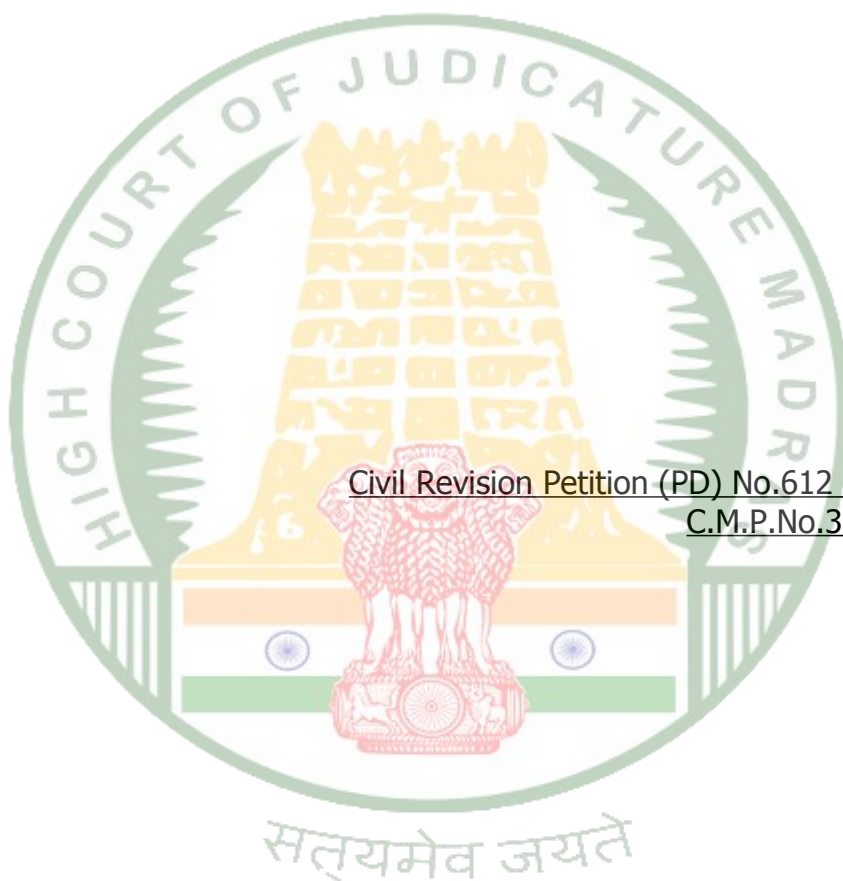
1.The Subordinate Judge, Ariyalur

2.The District Munsif Court, Ariyalur.

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D.KRISHNAKUMAR, J.,

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