

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2018

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(PD)No.622 of 2015
& M.P.No.1 of 2015

1.E.Kothandapani
2.E.Rudramoorthy
3.M.Shanthi

.. Petitioners

Vs.

M/s.Sensex Financial Services P. Ltd.,
by its Directors
1.Mohanlal G.Bhandari
2.Jeenendra Bhandari
represented by their Power Agent,
Khimraj Jain.

.. Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the judgment and decree made in C.M.A.No.3 of 2009 dated 26.07.2014 on the file of the learned Sub-Judge, Tambaram, confirming the order and decree made in I.A.No.247 of 2008 in O.S.No.59 of 2008 dated 07.01.2009 on the file of the learned District Munsif, Tambaram.

For Petitioners : Mr.P.Gopalan

For R1 : No appearance

For R2 : Mr.A.Palaniappan

ORDER

This Civil Revision Petition has been filed to set aside the judgment and decree made in C.M.A.No.3 of 2009 dated 26.07.2014 on the file of the learned Sub-Judge, Tambaram, confirming the order and decree made in I.A.No.247 of 2008 in O.S.No.59 of 2008 dated 07.01.2009 on the file of the learned District Munsif Court, Tambaram.

2.The petitioners are the defendants and respondents are the plaintiffs in O.S.No.59 of 2008 on the file of the learned District Munsif, Tambaram. The respondents filed the said suit against the petitioners for permanent injunction restraining the petitioners from interfering with their peaceful possession and enjoyment of the suit property. Pending suit, the respondents filed I.A.No.247 of 2008 for interim injunction. After contest, by the order dated 07.01.2009, interim injunction was granted. Against the order of interim injunction, the petitioners filed C.M.A.No.3 of 2009 on the file of the Sub Court, Tambaram. The learned Appellate Judge, considering the materials on record and order of the learned District Munsif, by the judgment dated 26.07.2014, dismissed the appeal.

3. Against the said judgment of dismissal dated 26.07.2014 made in C.M.A.No.3 of 2009, confirming the order dated 07.01.2009 made in I.A.No.247 of 2008 in O.S.No.59 of 2008, the present Civil Revision Petition is filed by the petitioners.

4. Heard the learned counsel for the petitioners as well as the second respondent and perused the materials available on record. Though notice was served on the first respondent and his name is printed in the cause list, there is no representation either in person or through counsel.

5. From the materials on record, it is seen that the suit is filed by the respondents in the year 2008 for permanent injunction restraining the petitioners from interfering with their peaceful possession and enjoyment of the suit property. The interim injunction granted on 07.01.2009 was confirmed by the learned Appellate Authority in C.M.A.No.3 of 2009 by the order dated 26.07.2014.

6. Considering the nature of the relief sought for in the suit and the fact that the suit is of the year 2008, without deciding

the issue on merits, this Civil Revision Petition is disposed of, directing the learned Principal District Munsif, Tambaram to dispose of the suit as expeditiously as possible in any event, not later than two months from the date of receipt of a copy of this order.

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

02.01.2018

Index: Yes/No
gsa

To

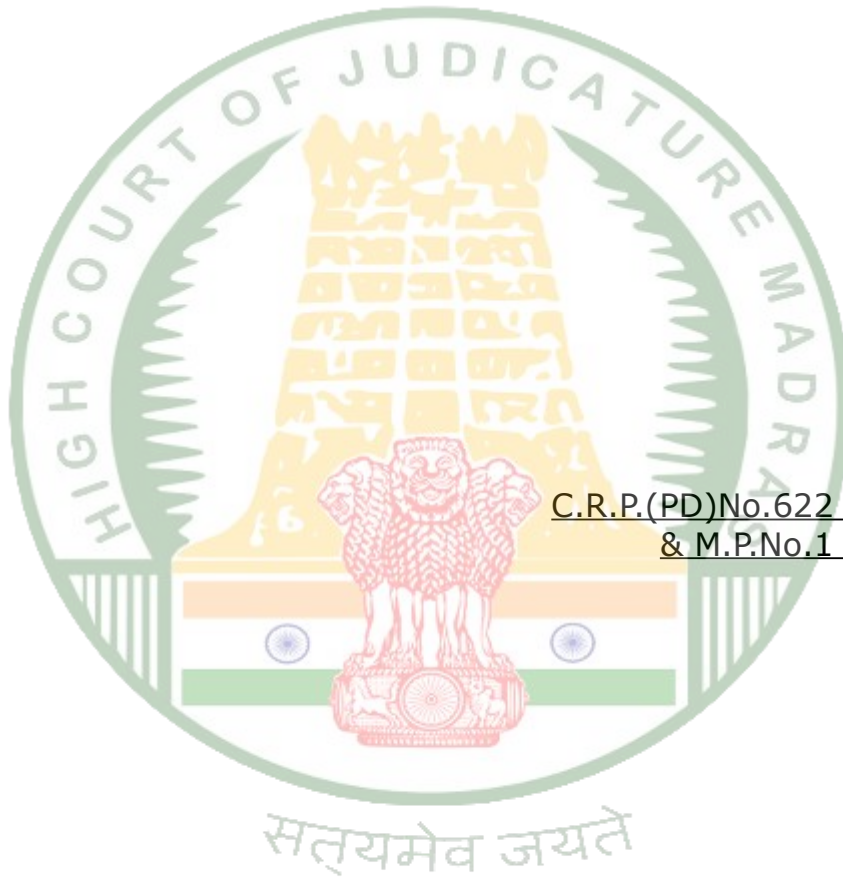
1. The Subordinate Judge,
Tambaram.

2. The District Munsif,
Tambaram.

सत्यमेव जयते
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V.M.VELUMANI,J.

gsa



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