

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2018

CORAM

THE HONOURABLE **MR.JUSTICE M. GOVINDARAJ**

C.S.No.148 of 2016

and

O.A.No.183 of 2016

B.Sri Priya Plaintiff

. Vs .

M.J.Ramani Defendant

Plaint filed under Order Order VII Rule 1 of C.P.C r/w Order
IV Rule 1 of O.S. Rules and Section 26 of C.P.C.

i) Granting a Permanent Injunction restraining the defendant,
his men agents or any person authorized by him or acting on his behalf
from in any manner interfering with the plaintiff's peaceful possession
and enjoyment of the suit property;

ii) For costs

For Plaintiff : Mr.A.E.Ravi Chandran

For Defendant : Mr.V.T.Gopalan, Sr. Advocate

JUDGMENT

The property in dispute is a convention Hall/marriage Hall, in which, the rights are claimed by the parties.

2.The plaintiff has approached this Court on the basis of a cause of action that the defendant through his men attempted to trespass to the property and throw him out without adopting the due process of law. Now, it is admitted that the defendant has filed a Rent Control Petition and the same is pending. As per the orders of the Rent Control Court, the plaintiff has also per se produced the proof of payment for having paid the rental arrears. Admittedly, the possession of the plaintiff is not disputed, and due process of law has been initiated by the defendant. In such circumstances, the suit for permanent injunction need not be kept pending. The parties can work out their rights before the appropriate Court.

3.Application is disposed off, and the memo of compliance dated 31.10.2018 is also taken on record. Accordingly, the suit is closed.

4.The learned counsel for the applicant/plaintiff undertakes to give necessary receipts and vouchers for the payments given.

31.10.2018

Index: Yes/No

Internet: yes/No

Speaking Order/Non Speaking Order

KP

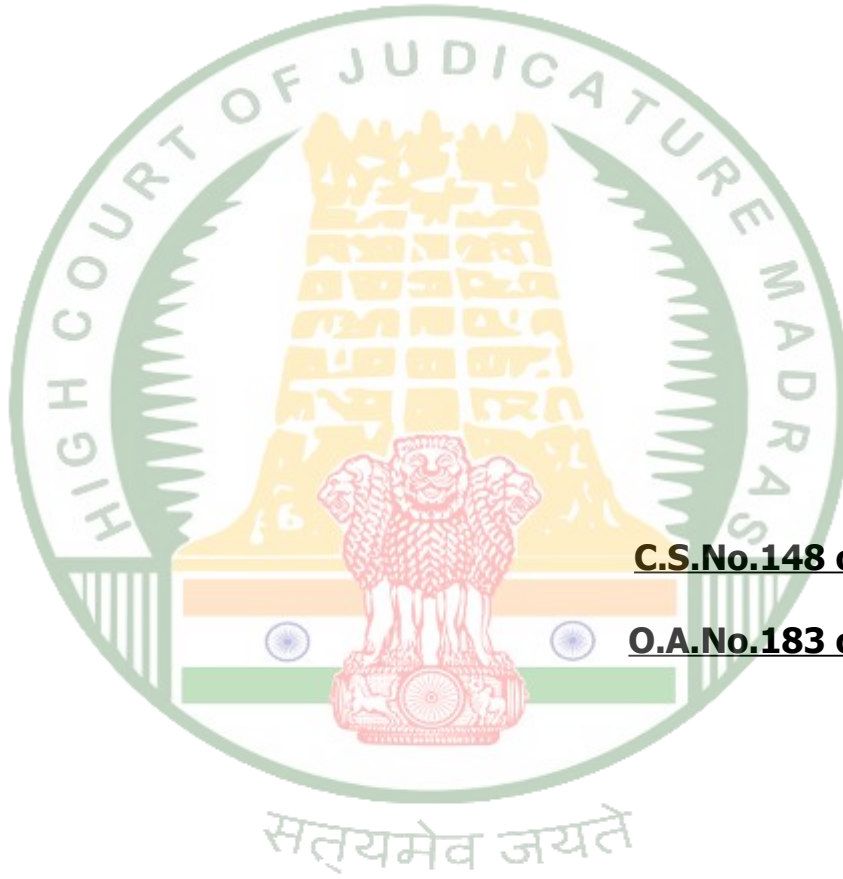
To

The Sub Assistant Registrar,
Original Side,
High Court, Madras.

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M. GOVINDARAJ,. J.

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