

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

CRP (PD)No.3236 of 2016
and CMP.No.16408 of 2016

P.Arumugam

.. Petitioner

Vs

1.Muthuvel
2.Thirugnanam

.. Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair order dated 29.09.2016 made in C.M.A.No.3 of 2015 on the file of the learned Subordinate Judge, Panruti, by reversing the fair and decretal order dated 23.02.2015 made in I.A.No.956 of 2014 in O.S.No.139 of 2014 on the file of the learned Principal District Munsif, Panruti.

For Petitioners : Mr.N.Suresh

ORDER

By consent of both parties, this civil revision petition is taken up for final disposal.

2. According to the petitioner, the petitioner has filed the suit in O.S.No.139 of 2014 on the file of the learned District Munsif, Panruti, seeking

declaration and injunction. In the aforesaid, suit, the petitioner has filed the application in I.A.No.956 of 2014 in O.S.No.139 of 2014 on the file of the learned District Munsif, Panruti, seeking interim injunction not to put up any construction in respect of 'B' schedule property. Interim injunction was granted by the trial Court. Challenging the aforesaid order, the respondents herein have filed the appeal in CMA.No.3 of 2015 on the file of the learned Subordinate Judge, Panruti, to set aside the order dated 23.02.2015 in I.A.No.956 of 2014 in O.S.No.139 of 2014 and the same was allowed by the Appellate Court. Challenging the aforesaid order passed by the Appellate Court, the petitioner herein has filed the present civil revision petition before this Court.

3. At the time of admission, status-quo order was granted by this Court on 07.10.2016 and subsequently, status-quo order has been extended until further orders and hence this matter was directed to be posted for final disposal.

4. The petitioner has got benefit of the interim order before the trial Court and challenging the said order, pending appeal before the Appellate Court, no interim order granted in favour of the respondent. Therefore, status-quo order to continue till the disposal of the suit, would not cause any prejudice to the respondent.

5. Considering the submission made by the learned counsel for both sides, this Court is inclined to pass the following orders:

i) the impugned order passed in I.A.No.956 of 2014 in O.S.No.139 of 2014 on the file of the learned Principal District Munsif, Panruti, is hereby set aside.

ii) Both parties shall maintain the status-quo till the disposal of the suit.

iii) The learned Principal District Munsif, Panruti, is directed to dispose of the suit in O.S.No.139 of 2014 as expeditiously as possible, preferably, on or before 30.06.2018.

This civil revision petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

12.02.2018

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-speaking Order

kkd

D.KRISNAKUMAR,J.

kkd

To

- 1.The Subordinate Judge,
Panruti.
- 2.The Principal District Munsif,
Panruti.



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