



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2018

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.A.(MD)No.1216 of 2017

M.Subramanian ... Appellant/Respondent/6th Defendant
Vs.
1.Neelakandan ...1st Respondent/Petitioner/Plaintiff
2.Kaliyaperumal
3.Kumar
4.Siva
5.Rajamanickam
6.Sakthivel ... Respondents 2 to 6/Respondents 1 to 5/
Defendants 1 to 5

Prayer: This Civil Miscellaneous Appeal is filed under Order 43 Rule 1(r) of Civil Procedure Code, to set aside the fair and decretal order dated 16.06.2014 passed in I.A.No.94 of 2014 in O.S.No.27 of 2014 on the file of II Additional District Judge, Tiruchirappalli, and to allow the appeal.

For Appellant : M/s.J.Anandhavalli
For R1 : No Appearance

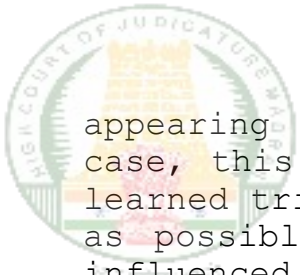
JUDGMENT

The appellant is the 6th defendant. The first respondent / plaintiff filed O.S.No.27 of 2014 for permanent injunction and mandatory injunction. Along with the suit the first respondent filed I.A.No.94 of 2014 for permanent injunction, restraining the respondents 2 to 6 and the appellant from interfering with his possession and enjoyment of the suit property. By the order dated 16.06.2014, the learned trial Judge had granted interim injunction. Challenging the said order, the 6th defendant has come out the present appeal.

2.Today, when this appeal is taken up for hearing, the learned counsel appearing for the appellant submitted that a direction may be issued to the learned trial Judge to dispose of the suit within the time fixed by this Court without being influenced by the order passed in I.A.No.94 of 2014. No representation for the first respondent.

<https://hcservices.ecourts.gov.in/hcservices/>

3.In view of the above contention of the learned counsel



appearing for the appellant, without going into the merits of the case, this Civil Miscellaneous Appeal is disposed of, directing the learned trial Judge to dispose of O.S.No.27 of 2014 as expeditiously as possible in any event not later than 31.03.2019 without being influenced by the order passed in I.A.No.94 of 2014. No costs.

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Sd/

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar(CS-II)

To

1.The II Additional District Judge,
Tiruchirappalli.

2.The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.(2 copies)

+1cc to Mr.J.ANANDHAVALLI, Advocate, SR.No.81411

+1cc to Mr.SHANGAR MURALI, Advocate, SR.No.80827

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myr

KK/RP/SAR-2/03.10.2018/2P-6C