



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P. (PD) (MD) No.871 of 2017

WEB COPY

P.S.Joseph @ Stalin Joseph

... Petitioner/Appellant/
Petitioner/Plaintiff

Vs.

1.Arul

2.Jeyaseeli

3.Kulanthai Chintiya

... Respondents/Respondents/
Respondents/Defendants

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the records and to set aside the Order passed in C.M.A.No.3 of 2013 dated 23.08.2016 on the file of the Subordinate Judge, Pudukottai, confirming the order in I.A.No.677 of 2011 in O.S.No.225 of 2011, dated 04.04.2012 passed by the District Munsif-cum-Judicial Magistrate, Keeranur by allowing this Civil Revision Petition.

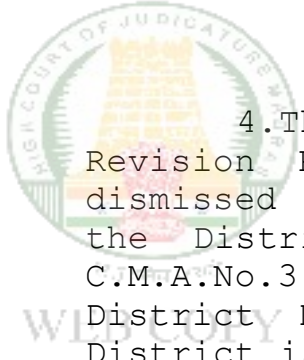
For Petitioner : Mr.A.Antony Arockiaraj

O R D E R

The petitioner has filed this Civil Revision Petition to set aside the Order passed in C.M.A.No.3 of 2013, dated 23.08.2016 on the file of the Sub Judge, Pudukottai, confirming the order in I.A.No.677 of 2011 in O.S.No.225 of 2011, dated 04.04.2012 passed by the District Munsif-cum-Judicial Magistrate, Keeranur.

2. The petitioner is the plaintiff and the respondents are the defendants in the suit in O.S.No.225 of 2011. The petitioner has filed a suit in O.S.No.225 of 2011, before the learned District Munsif-cum-Judicial Magistrate, Keeranur for permanent injunction. Thereafter, he filed an application in I.A.No.677 of 2011 for interim injunction and the said application was dismissed on 04.04.2012. Against which, the petitioner filed an appeal C.M.A.No.3 of 2013 before the Sub Court, Pudukkottai and the same was also dismissed on 23.08.2016. Challenging the order of dismissal, the petitioner has filed the present Civil Revision Petition.

3.After one year, the matter has been taken up today for admission. Admittedly, both the courts have not granted any interim order and the suit was filed for bare injunction.



4. This Court is not inclined to entertain the Civil Revision Petition and hence, the Civil Revision Petition is dismissed confirming the orders passed in I.A.No.677 of 2011 by the District Munsif-cum-Judicial Magistrate, Keeranur and in C.M.A.No.3 of 2013 passed by the Sub Judge, Pudukkottai. The District Munsif-cum-Judicial Magistrate, Keeranur, Pudukkottai District is directed to dispose of the suit in O.S.No.225 of 2011 on day-to-day basis without giving any adjournment and without influencing any averments made in the I.A.No.677 of 2011 and C.M.A.No.3 of 2013 and conclude the suit individually and pass orders. No costs.

sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Subordinate Judge,
Pudukkottai.
2. The District Munsif-cum-Judicial Magistrate,
Keeranur, Pudukkottai District.

Am

MK/SKN/SAR 3/07.08.2018/2P/3C

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