



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.R.P. (PD) (MD) .No.1414 of 2016

and

C.M.P. (MD) No.6922 of 2016

Indian Oil Corporation Ltd.,
through its Deputy General Manager,
Indian Oil Bhavan,
139, Mahatma Gandhi Road,
Nungambakkam High Road,
Chennai-600 034.

... Petitioner

Vs.

1.Thiruppathi Gas Service
through its partners
V.Srinivasan

2.S.Nanthini
3.M.Mathivanan

... Respondents

PRAYER: Petition filed under Section 115 of Civil Procedure Code, to set aside the Judgment and the decree dated 02.02.2016 and passed in C.M.A.No.7 of 2015 on the file of the Subordinate Judge, Kovilpatti, in confirmation of the fair and the decreetal orders dated 08.10.2014 passed in I.A.No.581 of 2014 in O.S.No.131 of 2014 on the file of the District Munsif, Kovilpatti.

For petitioners : Mr.K.Muraleedharan
For respondent : Mr.S.Vellaichamy

ORDER

The first defendant in O.S.No.131 of 2014 on the file of District Munsif Court, Kovilpatti, is the revision petitioner herein. The respondents herein obtained an interim relief in I.A.No.581 of 2014. The same was unsuccessfully challenged by the revision petitioner in C.M.A.No.7 of 2015 before the Sub Court, Kovilpatti. But then, when the Civil Revision Petition was admitted, interim stay was granted on 19.07.2016. Till date the interim order has been holding good. Therefore, after lapse of more than 2 years, this Court will not be justified in altering the status quo.

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

2.Therefore, interest of justice will better be served by directing the disposal of the suit itself within a period of three



months from the date of receipt of a copy of this order. It is needless to mention that the disposal of the suit will not be influenced in any manner by the outcome of these proceedings.

3. The order impugned in this Civil Revision Petition is set aside, taking into account the fact that for the last two years and more, the plaintiffs have not taken any step to vacate the interim suspension granted by the Court, while admitting the Civil Revision Petition. While setting aside the order, this Court has not gone into the merits of the matter.

4. The order impugned in the Civil Revision Petition is set aside and this Civil Revision Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar (CS-IV)

To:

1. The Subordinate Judge,
Kovilpatti.

2. The District Munsif,
Kovilpatti.

+1 CC To MR.K.MURALEEDHARAN, Advocate SR. NO.86999
+1 CC To MR.S.VELLAICHAMY, Advocate SR. NO. 87603

ORDER MADE IN
C.R.P. (PD) (MD) .No.1414 of 2016
and C.M.P. (MD) No.6922 of 2016
26.09.2018

PNN

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