



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 14.09.2018
CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (PD) (MD) No.2454 of 2016
and C.M.P. (MD) No.11584 of 2016

P.T.Moorthy

... Petitioner/Respondent/Petitioner/
Plaintiff

-Vs-

1.Maharajan
2.Murugavel
3.Selvam
4.Ramakrishnan

...Respondents/Appellants/Respondents
/Defendants

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order dated 4.10.2016 passed in C.M.A.No.10 of 2014 on the file of the Additional Subordinate Court, Dindigul reversing the fair and decreetal order passed in I.A.No.338 of 2014 in O.S.No.92 of 2014 on the file of the District Munsif Court, Nilakkottai dated 16.07.2014.

For Petitioner : Mr.R.Sureshkumar

For Respondents : Mr.R.Nandakumar

ORDER

The plaintiff in O.S.No.92 of 2014 on the file of the District Munsif Court, Nilakottai, is the revision petitioner herein. The plaintiff filed the said suit seeking the relief of bare injunction. I.A.No.338 of 2014 filed by him was allowed. But the same was reversed in C.M.A.No.10 of 2014 filed by the defendants. Challenging the same, this Civil Revision Petition is filed.

2. The Civil Miscellaneous Appeal was allowed by the lower Appellate Court on 04.10.2016. For the last almost two years, the said order has been in force. The plaintiff did not get any interim order during the pendency of the Civil Revision Petition.

3. Therefore, the interest of justice would be better served by directing the trial court to conclude the suit proceedings. The learned District Munsif, Nilakkottai, is directed to dispose of O.S.No.92 of 2014 within a period of six months from the date of receipt of a copy of this order. The trial court shall dispose of the suit totally uninfluenced by outcome of these proceedings.



4. In the result, this Civil Revision Petition is disposed of. No costs. Consequently, connected C.M.P.(MD) No.11584 of 2016 is closed.

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Sd/-
Assistant Registrar(CO)

Sub Assistant Registrar(CS-IV)

To,

1. The District Munsif,
Nilakkottai.
2. The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai. **(2 copies)**

+1CC to Mr.R.Nandakumar, Advocate, SR.No.84527

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CM
ES/SKN/RSK/SAR 4/16.10.2018/2P/5C