



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CRP (MD)No.438 of 2016 (PD)

and

CMP(MD)No.1897 of 2016

Kamaraj

... Petitioner

Vs.

Balamurugan

... Respondent

Prayer : This Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 05.12.2015 and made in C.M.A No.3/2015 on the file of the Principal Sub Court, Dindigul confirming the fair and decreetal order dated 26.03.2015 and made in I.A No.743 of 2014 in O.S No.195 of 2014 on the file of the District Munsif Court, Nilakottai dated 26.03.2015 and to dismiss the injunction application.

For Petitioner

: Mr.A.Arumugam

For Respondent

: Mr.J.Lawrance

ORDER

The defendant in O.S No.195 of 2014 on the file of the District Munsif Court, Nilakkottai is the revision petitioner herein. The revision petition arises out of an interim order. The plaintiff was granted the relief of interim injunction by the court below. The same was challenged before the Principal Sub Court in CMA No.3 of 2015.

2.This Court is of the view that the plaintiff has been enjoying interim relief all along. Instead of passing an order on merits in this Civil Revision Petition, the trial court can be directed to conclude the suit proceedings. Therefore, a direction is given to the learned District Munsif, Nilakottai to conclude the proceedings in O.S No.195 of 2014 within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the



matter. The suit shall be disposed of totally uninfluenced by any of the observations made in this order.

3. With this direction, this civil revision petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar (CS-I)

To

1. The District Munsif, Nilakkottai.
2. The Principal Sub Judge, Dindigul.

+1 CC To MR.K.MUTHUMALAI, Advocate SR. NO.80380

+1 CC To MR.J.LAWRANCE, Advocate SR. NO. 80404

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SKN

TR/SV/SAR-I (01.10.2018) 2P 5C