



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 11.08.2018
CORAM

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

WEB COPY

C.R.P. (MD) Nos.1727 and 1728 of 2018
and C.M.P. (MD) Nos.7406 and 7407 of 2018

K.Balasubramanian ... Revision Petitioner/Respondent /
2nd Defendant (in both cases)

-Vs-

1.P.Karuppiah ... Respondent No.1/Petitioner/
Plaintiff (in both cases)

2.R.M.Kandhi ... Respondent No.2/1st Respondent/
1st Defendant (in both cases)

Common Prayer: Civil Revision Petition is filed under Article 227 of Constitution of India to call for the records relating to the order dated 06.04/2018 passed in I.A.No.791 and 792 of 2017 in O.S.No.1 of 2016 respectively on the file of District Munsif Court, Madurai Taluk, Madurai.

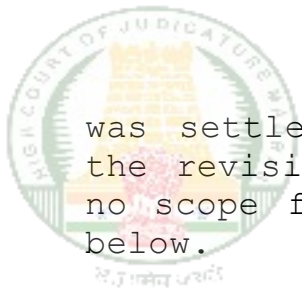
For Petitioner : Mr.P.Muthusamy

C O M M O N O R D E R

The first respondent herein namely Karuppaiah filed O.S.No.1 of 2016 on the file of the District Munsif Court, Madurai Taluk seeking the relief of permanent injunction against the second respondent herein namely Kandhi. The plaint is sought to be amended by impleading the revision petitioner herein. The revision petitioner is none other than the son of the original defendant. The plaintiff had taken a stand that he had come to know the property in question had been settled in favour of the revision petitioner and that therefore, the revision petitioner should also be made as a party. That is why I.A.Nos.791 and 792 of 2017 were allowed by the court below.

2. The learned counsel appearing for the revision petitioner submitted that the plaintiff is dragging on the proceedings by filing one Interlocutory Application after another.

3. But fact remains that the second respondent herein is none other than the father of the revision petitioner. This is not in dispute. During the said proceedings, the property in question



was settled in favour of the revision petitioner and therefore, the revision petition was rightly impleaded as a party. There is no scope for any interference with the order passed by the court below.

4. Finding no merit, the Civil Revision Petitions are dismissed. No costs. Consequently, connected C.M.P.(MD) Nos.7406 and 7407 of 2018 are closed.

5. The learned counsel for the revision petitioner submits that this is only a suit for bare injunction and therefore there may not be any difficulty to conclude the suit speedily. Finding force in the said request, the District Munsif Court, Madurai Taluk, Madurai, is directed to conclude the suit proceedings within a period of six months from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar(CS-III)

To

The District Munsif Court,
Madurai Taluk, Madurai

+2cc to Mr.P.Muthusamy, Advocate SR.No.78612,78613

Cm

MK/SKN/SAR 3/31.08.2018/2P/4C

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