



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.10.2018

CORAM:

THE HONOURABLE MS.JUSTICE V.M. VELUMANI

CMA(MD).No.826 of 2018 and
CMP(MD).No. 9212 of 2018

Rengaraj : Appellant/Petitioner/
Plaintiff

Vs.

1.Chellasamy
2.Anitha : Respondents/Respondents/
Defendants

Prayer: This Civil Miscellaneous Appeal is filed under order 43 Rule 1(r) r/w. Section 96 Code of Civil Procedure against the fair and decreetal order dated 27.06.2018 passed in I.A.No. 54 of 2018 in O.S.No.44 of 2018, on the file of the III Additional District Judge, Tiruchirappalli.

For Appellant : Mr. V.R. Shanmuganathan

For respondents : Mr. T. Indira Chithu

J U D G M E N T

This Civil Miscellaneous Appeal has been filed against the fair and decreetal order dated 27.06.2018, passed in I.A.No. 54 of 2018 in O.S.No.44 of 2018, on the file of the III Additional District Judge, Tiruchirappalli.

2. The appellant / plaintiff has filed the suit in O.S.No. 44 of 2018, on the file of the III Additional District Judge, Tiruchirappalli, for injunction restraining the respondents from interfering with his peaceful possession. Pending suit, the appellant filed I.A.No.54 of 2018 for temporary injunction and the said application was dismissed after contest.

3. Challenging the said order of dismissal, the appellant has come out with the present appeal.

4. When the appeal was taken up for hearing, both the counsel appearing for the appellant and respondents submitted that a direction may be issued to the learned Judge to dispose the suit within a time frame stipulated by this Court.



5. The learned counsel appearing for the appellant submitted that the appellant is in possession of the suit property and the same is disputed by the respondents. In view of the same, both the appellant and the respondents are directed to maintain the status quo till the disposal of the suit.

6. The learned III Additional District Judge, Tiruchirappalli, is directed to dispose of the suit in O.S.No. 44 of 2018, pending on his file, as expeditiously as possible, in any event, not later than 30th April 2019.

7. With the above direction, this Civil Miscellaneous Appeal is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

Sub Assistant Registrar(CS-II)

To

1.The III Additional District Judge, Tiruchirappalli.

+1 CC To MR.V.R. SHANMUGANATHAN, Advocate SR. NO. 91918

+1 CC To MR.T.INDRACHITHU, Advocate SR. NO. 91717

CMA(MD).No.826 of 2018 and
CMP(MD).No. 9212 of 2018
23.10.2018

TRP

TR/SKN-RSK/SAR-II(02.11.2018)2P 4C