



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CRP (PD) (MD) No.2269 of 2018
and
CMP(MD)No.10185 of 2018

1.The Kovilpatti Tamil Baptist
School Association, (Reg.No.17/1956)
Through its President,
No.27, Ettayapuram Road, Kovilpatti.

2.Gnanasironmani

3.Manonmani

4.James Thiyagarajan

... Petitioners

Vs.

1.Muthulakshmi @ Muthabaranam

2.Lal Bahadur Kennedy

... Respondents

Prayer : This Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order dated 31.08.2018 passed in IA N.88 of 2018 in A.S No.29 of 2018 on the file of the Subordinate Judge, Kovilpatti. And allow the Civil Revision Petition.

For Petitioners : Mr.R.Subramanian

For Respondents : Mr.T.Lajapathi Roy

ORDER

O.S No.86 of 2015 on the file of the District Munsif, Kovilpatti was filed by the respondents herein seeking the relief of declaration and permanent injunction. The suit was decreed on 31.07.2018. Questioning the same, the revision petitioners filed A.S No.29 of 2018 before the Sub Court, Kovilpatti. Seeking suspension of the decree passed by the trial court, the revision petitioners filed I.A No.88 of 2018. Since caveat was filed in the appeal, the court below adjourned the enquiry in the I.A. Aggrieved by the same, this civil revision petition has been filed.



2.The learned counsel appearing for the revision petitioners impressed upon this Court that there is acute urgency in the matter. But then, as rightly pointed out by the learned counsel appearing for the respondents, the first appellate court should take a call in the matter. Therefore, the learned Sub Judge, Kovilpatti is directed to dispose of I.A No.88 of 2018 in A.S No.29 of 2018 on merits and in accordance with law on or before 23.11.2018.

3.This civil revision petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar(CS-II)

To
The Subordinate Judge,
Subordinate Court,
Kovilpatti.

Copy To:

The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai. **(2 copies)**

+1 cc TO MR.T.LAJAPATHY ROY, ADVOCATE IN SR.NO.94169.
+1CC TO MR.R.SUBRAMANIAN, ADVOCATE IN SR.NO.93951.

SKM
DS SV SAR2 12 11 2018 2P 6C

CRP (PD) (MD) No.2269 of 2018
01.11.2018