

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2019

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P(PD).No.844 of 2019

&

C.M.P.No.5492 of 2019

1.St.Mary's Church
Mayiladuthurai Municipality and Town
Represented by its
Administrator and Superior

2.St.Pauls Higher Secondary School,
Mayiladuthurai Municipality and Town
Represented by its
Administrator and Superior

...Petitioners

Vs

Muthurangan

... Respondent

Prayer: Civil Revision Petition is filed under Section 115 of the Code of Civil Procedure against the fair and decreetal order dated 03.12.2018 made in C.M.A.No.7 of 2017 on the file of the Principal Subordinate Judge, Mayiladuthurai in reversing the fair and decreetal order dated

17.07.2017 made in I.A.No.592 of 2016 in O.S.No.209 of 2016 on the file of the Principal District Munsif Court, Mayiladuthurai.

For Petitioners : Mr.C.Prabakaran

ORDER

The above Civil Revision Petition is filed challenging the order of injunction which is granted by the Principal Subordinate Judge, Mayiladuthurai, in C.M.A.No.7 of 2017 reversing the order of the the learned principal District Munsif, Mayiladuthurai in I.A.No.592 of 2016 in O.S.No.209 of 2016.

2.The learned Principal Subordinate Judge, Mayiladuthurai, has proceeded to grant the interim order on the admission by the defendant in the evidence and the fact that the Section 106 notice under the Transfer of Property Act, been issued by the revision petitioner to the respondent, which clearly shows that the respondent is in possession of the suit property.

3. Therefore, there can be no quarrel in the findings rendered by the learned Principal Subordinate Judge, Mayiladuthurai and the Civil Revision Petition deserves to be rejected. The Civil Revision Petition accordingly stands dismissed. There shall be no order as to costs. Consequently, connected Civil Miscellaneous Petition is also closed.

However, considering the fact that the suit is of the year 2016 the learned Principal District Munsif, Mayiladuthurai is directed to dispose of the suit within a period of five months from the date of receipt of a copy of the order.

05.03.2019

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Index : Yes/No
Speaking order/non-speaking order

To,

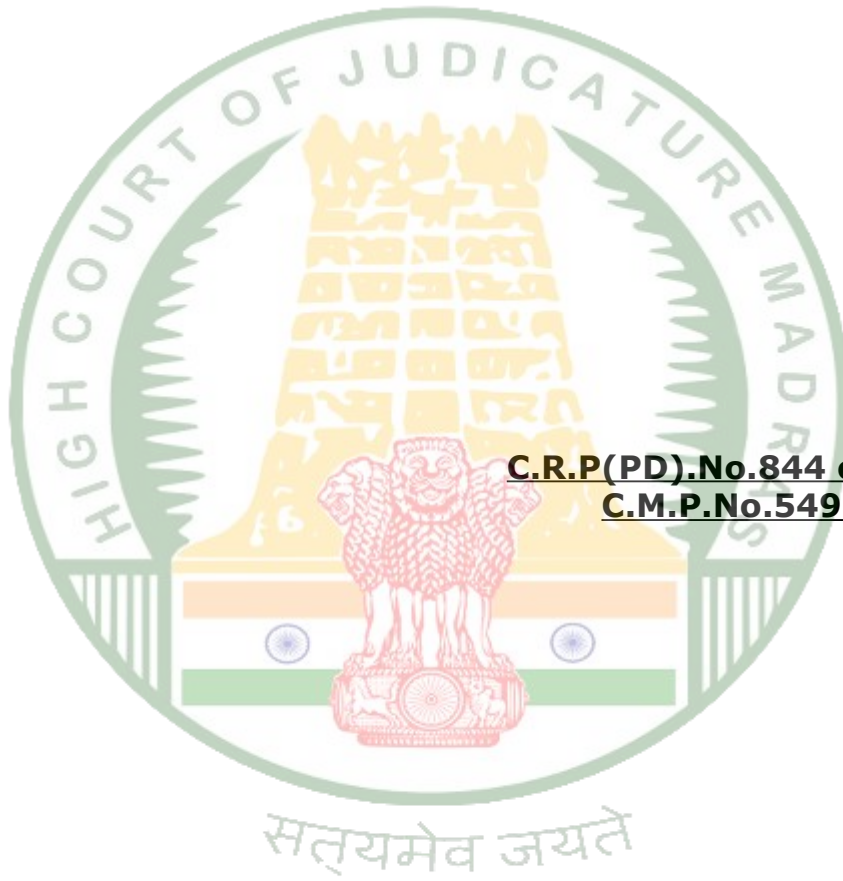
1. The Principal Subordinate Judge,
Mayiladuthurai.

2. The Principal District Munsif Court,
Mayiladuthurai.

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P.T.ASHA, J.,

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