

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2019

CORAM
THE HONOURABLE MR.JUSTICE C.SARAVANAN

C.R.P.(PD).No.2819 of 2015
and M.P.No.1 of 2014

1.G.Balaji

2.V.Venkateswara Rao
M/s.Sagar Grandhi Exports P Ltd.,
New No.74, Old No.53,
Venkatesan Street,
Chindadripet, Chennai - 2.

3.K.Balasubramaniam

.. Petitioners

Vs.

M.S.Saravanasamy

.. Respondent

PRAYER: Civil Revision petition is filed under Article 227 of the Constitution of India, against the Fair and Decretal order dated 16.04.2014 passed in C.M.A.No.3 of 2014 on the file of the Subordinate Court, Tambaram reversing the fair and decretal order dated 17.12.2013 passed in I.A.No.1291 of 2013 in O.S.No.616 of 2013 on the file of the Additional District Munsif Court, Alandur.

For Petitioners

: Mr.R.Asokan

For Respondent

: Mr.B.Vijay

ORDER

The present Civil Revision Petition has been filed against the fair and decreetal order dated 16.04.2014 passed in C.M.A.No.3 of 2014 on the file of the Subordinate Judge, Tambaram.

2.By the said order the Court below has allowed the appeal filed by the respondent herein. Originally, the respondent/plaintiff had filed O.S.No.616 of 2013 for permanent injunction restraining the petitioners/defendants from interfering with the peaceful possession and enjoyment of the suit property or in any manner trespassing into the suit property till the disposal of the suit.

3.Subsequently, the respondent/plaintiff filed I.A.No.1291 of 2013 before the Additional District Munsif Court, Alandur, for an interim injunction restraining the petitioners/defendants herein and their persons from interfering with peaceful possession over the suit schedule property. The said application was dismissed on 17.12.2013.

4.Aggrieved by the same, the respondent/plaintiff filed C.M.A.No.3 of 2014 before the Subordinate Court, Tambaram to set aside the order of dismissal with consequential relief. C.M.A.No.3 of 2014 was allowed by the impugned order dated 16.04.2014 by the said Court. Aggrieved by the said order, the petitioners/defendants have filed the present Civil Revision Petition.

5. The interim relief sought by the respondent has been in force since

the year of 2014 after the impugned order dated 16.04.2014 was passed. The learned counsel also mentioned that the trial has commenced and PW-1 has also been examined. However, P.W.1 has not appeared for cross examination thereafter.

6. I see no point keeping in this Civil Revision Petition on the file of this Court, since the suit is of the year 2013 and the same is pending for the last six years.

7. Consequently, the lower Court is directed to complete the proceedings and pass a final judgment and decree within a period of six months from the date of receipt of a copy of this order. Meanwhile, the parties shall maintain status quo as on date till the date of disposal of the suit.

8. The present Civil Revision Petition is dismissed with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

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20.03.2019

Index :Yes/No

Internet :Yes/No

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C.SARAVANAN,J.

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To

1.The Sub Court,
Tambaram.

2.The Additional District Munsif Court,
Alandur.

3.The Section Officer,
V.R.Section, High Court, Madras.



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