

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2019

CORAM

THE HONOURABLE **MR.JUSTICE C.SARAVANAN**

C.R.P.(PD).No.1715 of 2014

and

M.P.No.1 of 2014

P.Mayilsamy

... Petitioner

Vs.

Nattusamy

... Respondent

PRAYER: Civil Revision petition is filed under Article 227 of the Constitution of India, to set aside the order of the Subordinate Judge, Pollachi dated 14.06.2013 in C.M.A.No.5 of 2012.

For Petitioner : Mr.V.Sivakumar

For Respondent : No appearance

ORDER

The present Civil Revision Petition is directed against the order dated 14.06.2013 in C.M.A.No.5 of 2012 in I.A.No.1869 of 2011 in O.S.No.535 of 2011 passed by the learned Subordinate Judge, Pollachi.

2.The said C.M.A was filed against the order dated 19.01.2012 in I.A.No.1869 of 2011 in O.S.No.535 of 2011.

3.The suit was filed by the respondent for a permanent injunction to restrain the petitioner from interfering with the respondent's peaceful possession and enjoyment of the suit properties.

4.In the said suit, the respondent had filed an Interlocutory Application vide I.A.No.1869 of 2011, for interim injunction to restrain the petitioner from interfering with the respondent's peaceful possession and enjoyment of the suit properties, which was allowed on 19.01.2012.

5.Being aggrieved by the interim order dated 19.01.2012 in I.A.No.1869 of 2011 in O.S.No.535 of 2011. Therefore, the petitioner preferred an appeal vide C.M.A.No.5 of 2012. The said appeal came to be dismissed on 14.06.2013.

6.Aggrieved by the same, the petitioner has filed the present Civil Revision Petition.

7.The petitioner is the defendant in O.S.No.535 of 2011. The said suit has been now transferred to the IV Additional District Judge, Coimbatore and renumbered as O.S.No.65 of 2019.

8.The learned counsel for the petitioner submits that there is connected another suit in O.S.No.455 of 2016 and a joint trial is being conducted.

9.Consequently, I am of the view no further order is required to be passed in the present Civil Revision Petition. Therefore, the present Civil Revision petition is liable to be dismissed.

10.The learned IV Additional District Judge, Coimbatore shall endeavour to complete the trial and dispose the both suits within a period of nine months from the date of receipt of a copy of this order.

11.This Civil Revision Petition is dismissed with above observation. No costs. Consequently, connected Miscellaneous Petition is also closed.

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Index:Yes/No

Internet :Yes/No

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C.SARAVANAN, J.

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To

- 1.The Subordinate Court,
Pollachi.
- 2.The IV Additional District Judge,
Coimbatore.
- 3.The Section Officer,
V.R.Section, High Court, Madras.



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