

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2019

CORAM

THE HON'BLE MR.JUSTICE R. SURESH KUMAR

C.R.P.(NPD) No.3246 of 2019

K.Ravichandran

... Petitioner

-Vs-

1.Karuppiah
2.Sukumaran
3.Senthil

... Respondents

Prayer : Civil Revision Petition under Article 227 of the Constitution of India seeking to issue a direction, directing the learned District Munsif, Namakkal to dispose of I.A.No.2 of 2019 in O.S.No.151 of 2019, within a stipulated period as may be fixed by this Honourable Court.

For Petitioner : Mr.R.Sundar

ORDER

This revision petition has been filed seeking for a direction from this Court to the Court below ie., the District Munsif, Namakkal to dispose of the I.A.No.2 of 2019 in O.S.No.151 of 2019, within a time frame to be stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner. The revision petitioner is the plaintiff before the Court below, who filed the suit in O.S.No.151 of 2019, where he filed I.A.No.2 of 2019 seeking for interim injunction and on 24.06.2019 the same was posted for hearing and from the said date, several

hearings went on, according to the learned counsel for the petitioner, and the respondents filed counter affidavit and thereafter, enquiry was taken up and time and again it has been adjourned. Aggrieved against the same, the present Civil Revision has been filed by the revision petitioner / plaintiffs.

3. When the present Civil Revision Petition came up before this Court on 01.10.2019, this Court directed the counsel for the revision petitioner to get instructions as to whether any progress has been made on 30.08.2019 or on subsequent hearing dates.

4. Today, the learned counsel for the petitioner submits that no progress has been made on 30.08.2019 and also on subsequent hearings and as of now, the next hearing is on 11.12.2019 only for the purpose of enquiry without any progress. Learned counsel for the petitioner further submits that, since the petitioner is running a cake shop and for the purpose of running cake shop he needs to draw water from the well using motor and therefore in that context, since the petitioner seeks injunction, the petition has to be decided on merits. Therefore, he prayed before this Court for early disposal of the interlocutory application.

5. Considering the facts and circumstances of the case, this Civil Revision

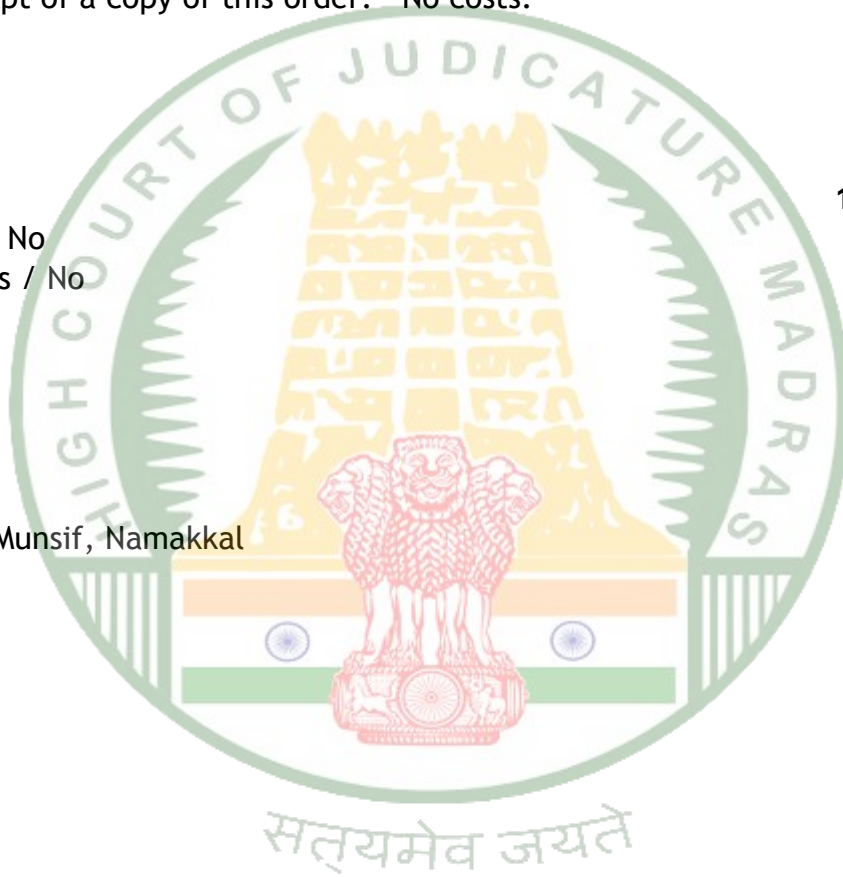
Petition is disposed of with the following direction. The learned District Munsif, Namakkal is hereby directed to take up the I.A.No.2 of 2019 in O.S.No.151 of 2019 and decide the same on merits and in accordance with law by giving an opportunity of hearing to both sides, within a period of 30 (thirty) days from the date of receipt of a copy of this order. No costs.

14-11-2019

Index : Yes / No
Internet : Yes / No
KST

To

The District Munsif, Namakkal

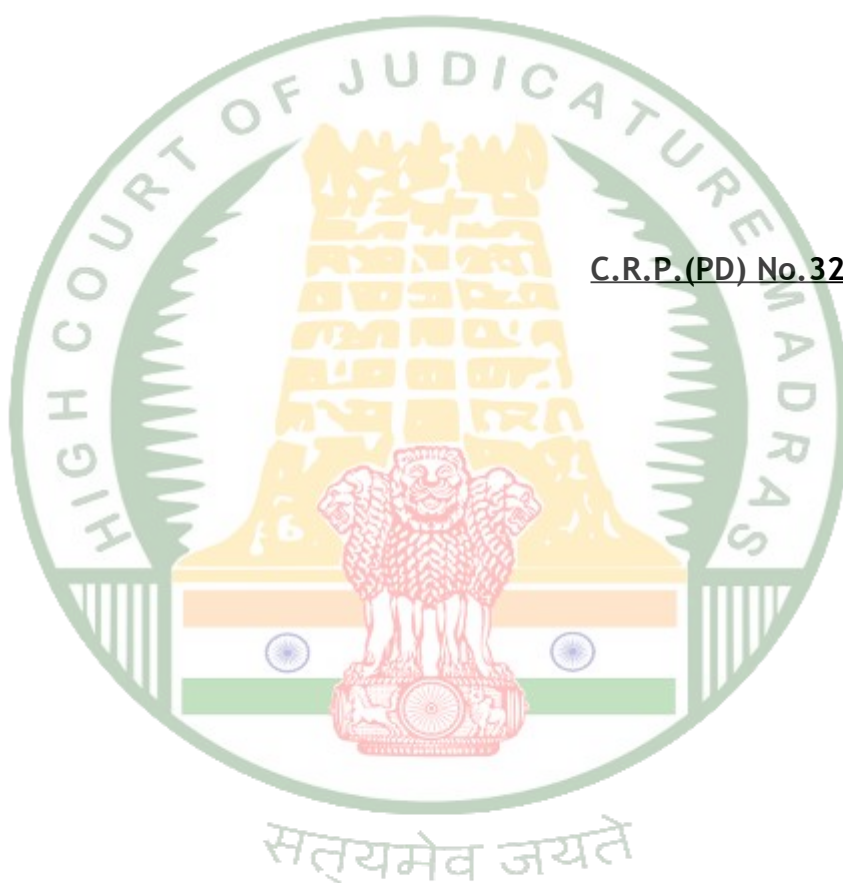


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R. SURESH KUMAR, J.

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