

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2019

CORAM

THE HON'BLE MR.JUSTICE R. SURESH KUMAR

C.R.P.(PD) No.3677 of 2019

1.S.Elavarasan
2.E.Vijayalakshmi

... Petitioners

-Vs-

1.A.Sridhar
2.E.Ramalingam

... Respondents

Prayer : Civil Revision Petition under Article 227 of the Constitution of India to direct the learned District Munsif at Sankarapuram to dispose of I.A.No.1283 of 2018 in O.S.No.190 of 2018 pending on the file of the learned District Munsif at Sankarapuram within the time frame to be fixed by this Hon'ble Court.

For Petitioner : Mr.G.Balamanikandan

ORDER

This revision petition has been filed seeking a prayer to direct the learned District Munsif at Sankarapuram to dispose of I.A.No.1283 of 2018 in O.S.No.190 of 2018 pending on the file of the learned District Munsif at Sankarapuram within the time frame to be fixed by this Hon'ble Court.

2. Before the Court below, the respondents / plaintiffs filed O.S.No.190 of 2018, where the present I.A.No.1283 of 2018 was filed by the respondents / plaintiffs seeking for interim injunction. In the said application, though the respondents / revision petitioners seems to have filed counter, it has been time and again posted for enquiry at the request of the respondents / plaintiffs and therefore, the revision petitioners, who were the respondents therein and also defendants in

the suit, has filed this revision petition with the aforesaid prayer.

3. I have heard Mr.G.Balamanikandan, learned counsel for the revision petitioners / plaintiffs and also perused the materials placed on record.

4. Since the said I.A., in question was not filed by the revision petitioners and it was filed by the respondents / plaintiffs, and if at all the respondents / plaintiffs want to pursue the said I.A., it is for them to take steps to pursue the I.A., at the earliest and if it is not pursued and for whatever be the reasons it is adjourned by the learned Judge, no prejudice would be caused to the revision petitioners, who are only the respondents against whom no interim order has been passed. Therefore, these revision petitioners cannot seek the present prayer, that too invoking Article 227 of the Constitution of India.

5. Accordingly, this revision petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

सत्यमेव जयते

Index : Yes / No
Internet : Yes / No
KST

To

The District Munsif at Sankarapuram

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R. SURESH KUMAR, J.

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