



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2019

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P (MD) .No.1242 of 2019

1.S.Mydeen Pitchai

2.M.Jannath

3.M.Sikkandar Badhusa

4.H.Roja

... Petitioners/
Respondents 1 to 4/Defendants 1 to 4

Vs.

1.M.Adham Beevi

... 1st respondent/
Petitioner/Plaintiff

2.A.Fathima

3.S.Syed Ali Fathima

... Respondents 2 & 3/
Respondents 5 & 6 / Respondents 5 & 6

PRAYER:- Civil Revision Petition filed under Article 227 of the Constitution of India, praying to direct the learned Principal District Munsif, Tenkasi, to dispose of the interim application in I.A.No.2 of 2019 in O.S.No.5 of 2019 within a stipulated time.

For petitioners

: Mr.D.Srinivasaragavan

ORDER

This civil revision petition has been filed by the petitioners seeking a direction to the learned Principal District Munsif, Tenkasi, to dispose of the interim application in I.A.No.2 of 2019 in O.S.No.5 of 2019 pending on his file, within a stipulated time.

2. The learned counsel for the petitioners submitted that the first respondent herein has filed the suit in O.S.No.5 of 2019 for permanent injunction. Along with the suit, the first respondent herein filed I.A.No.2 of 2019 for temporary injunction pending disposal of the suit. The Court below, by order dated 04.01.2019, has granted an *ex parte* interim injunction order. The petitioners herein have filed their counter affidavit to the interim application on 18.01.2019. The grievance of the petitioners is that after getting interim order, the first respondent has been intentionally



dragging on the matter one way or the other and the Court below also has been extending the interim order periodically. The petitioners are ready to cooperate with the Court below. Hence, they have filed this revision petition seeking a direction for early disposal of I.A.No.2 of 2019.

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3. Heard the learned counsel for the petitioners.

4. In view of the limited relief sought for by the petitioners and considering the fact that no prejudice would be caused to the respondents by ordering this petition, this Court is of the view that notice need not be sent to the respondents.

5. Considering the limited relief sought for by the petitioners in this petition and also the stage of the I.A.No.2 of 2019, this Court, without going into the merits of the case, is inclined to issue the following direction to the Court below:

The learned Principal District Munsif, Tenkasi, is directed to dispose of the interim application in I.A.No.2 of 2019 in O.S.No.5 of 2019 on merits and in accordance with law as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order. Both the parties are directed to cooperate with the Court below for early disposal of the case.

6. This revision petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Principal District Munsif,
Tenkasi.

+1 CC to MR.D.SRINIVASARAGAVAN, Advocate SR-79141.

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