



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.04.2019

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU**C.R.P (NPD) (MD) No.761 of 2011****and****M.P (MD) No.1 of 2011**

1) P.S.A.Rajaguru

2) R.Jeyachandra

... Petitioners

vs.

1) P.S.T.Rajagopal

2) P.S.T.Krishnasamy

3) P.S.T.Narayanan

4) P.S.T.V.Jeyaraman

5) P.S.T.S.Vijayalakshmi

6) P.S.T.S.Dharmalingam

7) P.S.T.S.Jeyanthi

8) P.S.T.S.Suresh

9) P.S.T.S.Kausalya Devi

10) P.S.T.S.Ramaiah

11) P.S.T.S.Rukmani Devi

12) P.S.T.S.Thangasamy

13) P.S.T.S.Narayanasamy

14) P.S.T.S.Madhavan

15) N.Chandrapushpam

16) Shanthakumari

... Respondents

Petition filed under Article 227 of the Constitution of India, against the fair and decreetal order dated 18.03.2011 in I.A.No.9 of 2011 in A.S.No.6 of 2011 on the file of learned Subordinate Judge, Kovilpatti.

For Petitioners : Mr.C.kasirajan

For R1, 4, 6, 15

and 16

: Mr.M.V.Venkatashesan

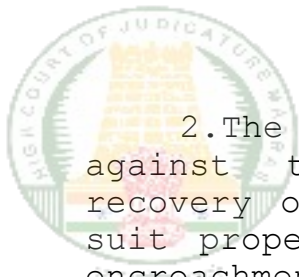
For R2, 3, 5

and 7 to 14

: No appearance

ORDER

This revision petition is filed against the fair and decreetal order dated 18.03.2011 in I.A.No.9 of 2011 in A.S.No.6 of 2011 on the file of learned Subordinate Judge, Kovilpatti.



2.The respondents as plaintiffs filed O.S.No.131 of 1997 against the revision petitioners/defendants for declaration, recovery of possession and permanent injunction in respect of the suit property. They also sought for a direction for removal of encroachment put up by the defendants in the suit property. The Trial Court decreed the suit by judgment and decree dated 07.01.2011, against which, the revision petitioners filed A.S.No.6 of 2011 on the file of the learned Subordinate Judge, Kovilpatti. In the appeal, the revision petitioners filed an application to stay the judgment and decree passed in the suit, which was dismissed, against which, this revision is filed.

3.When the revision petition came up for hearing today, learned counsel for the respondents/plaintiffs would state that at the time of admission of this revision, interim order has been granted and though the interim order has not been extended, because of the pendency of this revision petition, A.S.No.6 of 2011 is not proceeded with. The counsel for the respondents undertakes that the respondents will not file E.P. until the disposal of A.S.No.6 of 2011 pending on the file of learned Subordinate Judge, Kovilpatti and since the appeal suit is of the year 2011, learned counsel prayed for early disposal of the appeal suit, for which, learned counsel for the petitioners agrees.

4.Considering the submissions made by the learned counsel for the petitioners as well as the respondents and recording the undertaking given by the respondents, the learned Subordinate Judge, Kovilpatti, is directed to dispose of A.S.No.6 of 2011 within a period of six months from the date of receipt of a copy of this order.

With the above direction, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Writs)

// True Copy //

Sub Assistant Registrar(CS)

To

The Subordinate Judge, Kovilpatti.

+1 CC to M/s.S.KUMAR, Advocate in SR-58687

+1 CC to M/s.C.KASIRAJAN, Advocate in SR-58690

C.R.P (PD) (MD) No.761 of 2011