

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2020

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

C.R.P.PD 727 of 2020

M/s.Sicagen India Limited,
rep. by its Director
R.Chandrasekar

... Petitioner

Versus

1. Vikas Mahipal
2. Arun Prasad
3. Berdin Joseph
4. The Hotel Poorna Sree
rep. by its Authorised representative
Raghuvaran

... Respondents

PRAYER : Civil Revision Petition is filed under Art. 227 of Constitution of India, praying to direct the trial court to dispose the above I.A. 3 of 2020 in O.S. 333 of 2020 on the file of the XI Asst. City Civil Court at Chennai as per law after giving a reasonable time and opportunity to the petitioner to contest the case as per law.

For Petitioner : Mr.D.S.Ramesh

ORDER

This Civil Revision Petition has been filed seeking a direction to dispose the I.A. 3 of 2020 in O.S. 333 of 2020, on the file of XI Asst. City Civil Court, Chennai.

2. Considering the nature of order going to be passed in this Civil Revision Petition, which would cause no prejudice to the respondents, notice to the respondents are dispensed with.

3. The petitioner is a defendant in the suit. The 1st and 2nd respondents herein have filed a suit for the following relief :-

:a) for a permanent injunction restraining the defendants or their agents, henchman, or servants or any person claiming under them from starting or commencing an Hotel named Poorna Sree in ground floor portion of Lakshmi Nivas Building in a about in 1900 sq.ft. At No.58, Marshalls Road Opp. To Rajarathinam Stadium, Egmore, Chennai-8 consequently from in anyway interfering with the plaintiffs peaceful possession and enjoyment of the suit schedule property by installing water tanks, Genset or Chimneys in the common area or in any manner otherwise except by due process of law;
(b) to pay the cost of the suit;"

Pending suit, the defendants filed an application seeking for interim injunction in I.A. 3 of 2020. The petitioner has also filed their counter. But, so far, that application was not disposed of. Hence, this Civil Revision Petition has been filed.

4. I have considered the submissions made by learned counsel appearing for petitioner and perused the records carefully.

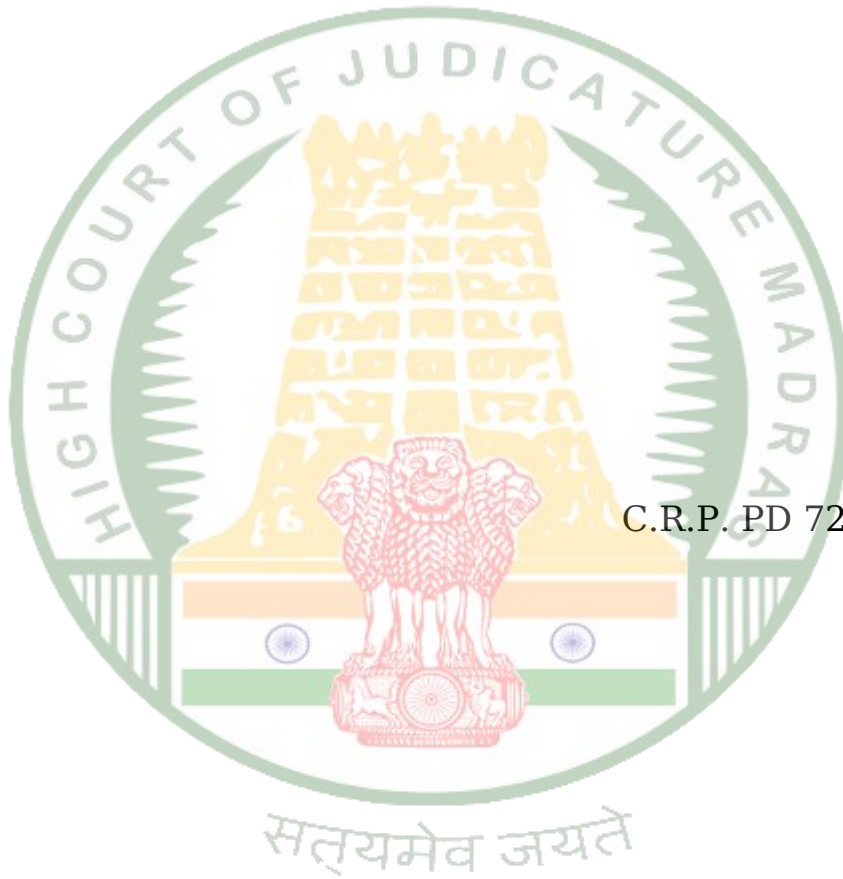
5. Considering the limited prayer sought in this Civil Revision Petition, without going into the merits of the case, the learned XI Asst. City Civil Court, Chennai, is directed to dispose the I.A. 3 of 2020 in O.S. 333 of 2020, after hearing both parties on merit in accordance with law within a period of four weeks from the date of receipt of the copy of this order. Accordingly, this Civil Revision Petition stands disposed of. No costs.

19.02.2020

Index : Yes/No
Internet: Yes/No
Speaking/Non Speaking order
rpp
To
XI Asst. City Civil Court, Chennai.

V.BHARATHIDASAN,J.

rpp



C.R.P. PD 727 of 2020

WEB COPY 19.02.2020