

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2020

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(PD).No.4248 of 2011

1.K.Balasubramanian (died)

2.M.Raja

3.K.N.Sekar

4.K.N.Paramasivam

5.K.N.Dilip Kumar (died)

6.B.Udhayakumar

7.B.Delli Babu

8.B.Kathalingam

9.D.Geetha

.. Petitioners

[Petitioners 6 to 8 were brought on record as LR's of the deceased 1st petitioner vide order of this Court dated 18.08.2020 made in C.M.P.Nos.8336 to 8338 of 2018 in C.R.P.(PD). No.4248 of 2011]

[9th petitioner was brought on record as LR of the deceased 5th petitioner vide order of this Court dated 18.08.2020 made in C.M.P.Nos.8339 to 8341 of 2018 in C.R.P.(PD). No.4248 of 2011]

Vs.

1.Azra (died)

2.M.Shoukath

3.M.Hasmath

4.Durdana

5.M.Raffath

6.S.Saraswathi

7.S.Shakeela

8.S.Natarajan

9.S.Shanmugam

10.Rana Sheriff

11.Hasna Fazil Khan

.. Respondents

[Respondents 10 and 11 were brought on record as LRs of the deceased 1st respondent vide order of this Court dated 18.08.2020 made in C.M.P.Nos.8342 to 8344 of 2018 in C.R.P.(PD). No.4248 of 2011]

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India praying to call for the records relating to the order dated 18.10.2011 in C.M.A.No.92 of 2010 on the file of Learned IV Additional Judge, City Civil Court, Chennai setting aside the Order and Decreetal Order dated 29.04.2010 in I.A.No.291 of 2009 in O.S.No.126 of 2009 on the file of Learned VII Assistant City Civil Court, Chennai and set aside the same.

For Petitioners : Mr.AR.L.Sundaresan
for Mr.K.Azhagarasan

For RR 2 to 5 : M/s.S.Vennimalai

For RR 6, 8 & 9 : Ms.A.L.Gandhimathi

For R7 : No appearance

For RR 10 & 11 : Mr.Chandramouli

ORDER

The matter is heard through Video Conferencing.

2.The present Civil Revision Petition is filed against the judgment dated 18.10.2011 made in C.M.A.No.92 of 2010 vacating the injunction granted by the learned Judge in I.A.No.291 of 2009 in O.S.No.126 of 2009.

3.At the time of admission on 04.11.2011, this Court ordered *status quo* to be maintained by the parties and ordered that neither the petitioners nor the respondents shall put up any construction in the suit property.

4.The suit filed by the petitioners is for permanent injunction restraining the respondents from interfering with the possession and enjoyment of the property. In view of the relief sought for by the petitioner in the suit and Interlocutory Application, the present Civil Revision Petition is disposed of without deciding the matter on merits directing the Learned

Judge to dispose of the suit as expeditiously as possible, in any event within a period of six months from the date of receipt of a copy of this order, without being influenced by the order passed in I.A.No.291 of 2009 in O.S.No.126 of 2009 as well as the judgment dated 18.10.2011 made in C.M.A.No.92 of 2010.

5.As per *status quo* ordered by this Court, neither the petitioners nor the respondents shall put up any construction in the suit property, till the disposal of the suit.

6.With the above direction, the present Civil Revision Petition is disposed of. No costs.

29.09.2020

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Index : Yes / No

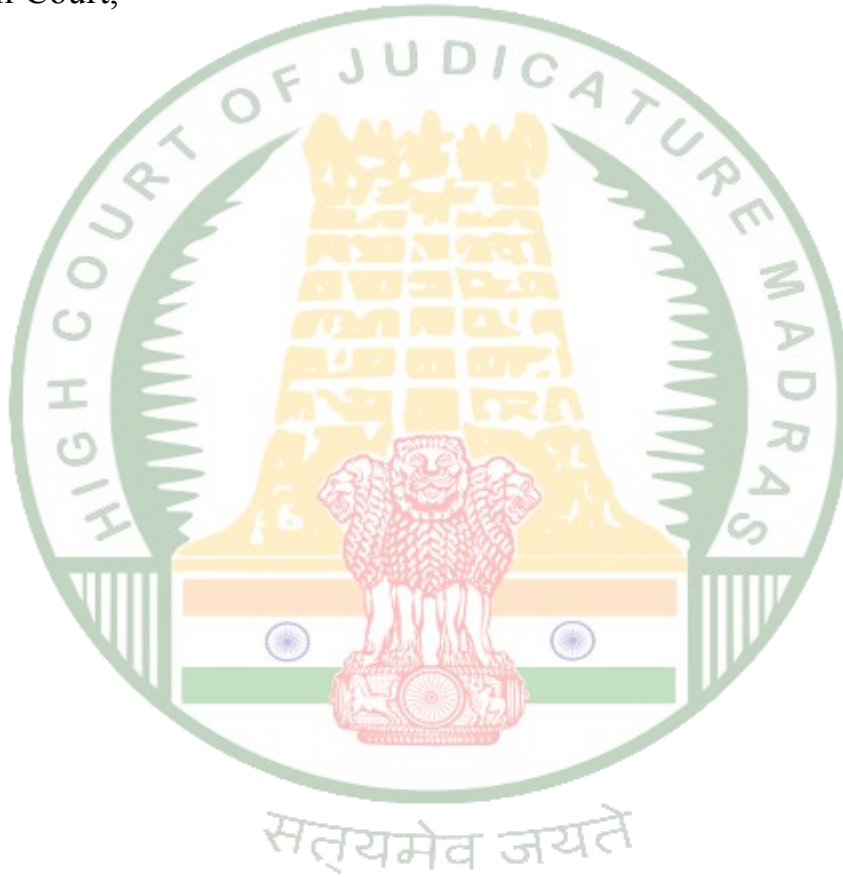
Internet : Yes / No

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To

1.The IV Assistant Judge,
City Civil Court,
Chennai.

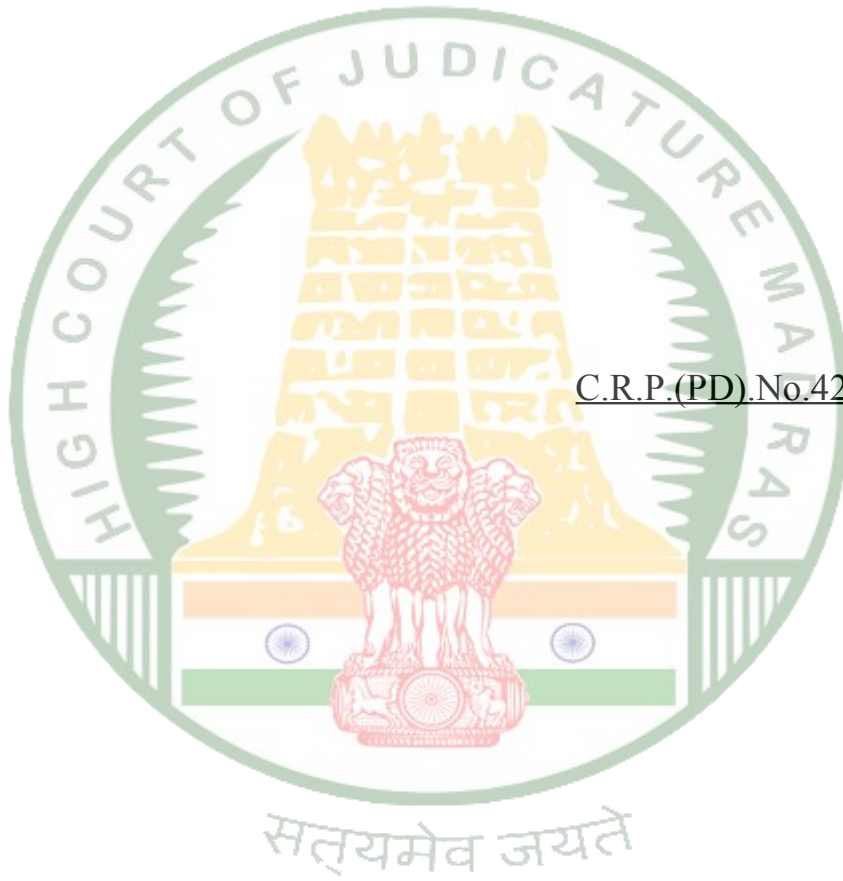
2.The VII Assistant Judge,
City Civil Court,
Chennai.



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V.M.VELUMANI, J.

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C.R.P.(PD).No.4248 of 2011

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