

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2020

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

CRP (PD) NOS.1451 AND 1453 OF 2020
AND CMP NOS.8365 AND 8368 OF 2020

N.Baskar

M/s.Virgin Manufacturing Industries Pvt. Ltd.,
No.42/1, Co-operative Colony,
Vilankurichi, Kalapatti,
Coimbatore.

...

Petitioner
in both CRPs'

Vs.

1.J.Arun Prakash
2.P.Thavasi Raj

...

Respondents
1 & 2 in both CRPs'

PRAYER: Civil Revision Petitions filed under Article 227 of the Constitution of India against the proceedings in I.A.No.2 of 2020 in O.S.No.196 of 2020 and the proceedings in O.S.No.196 of 2020 respectively, on the file of the Subordinate Judge, Pollachi.

For Petitioner : Mr.A.R.L.Sundaresan
Senior Counsel for Ms.AL.Ganthimathi

For Respondents : Mr.Pravin Ratnam

COMMON ORDER

The first respondent / plaintiff filed a suit in O.S.No.196 of 2020 before the Subordinate Court, Pollachi, for declaration to declare the Lease Agreement dated 16.06.2012 between the the parties is valid and binding on them with a consequential prayer of permanent injunction. The Trial Court granted interim injunction in I.A.No.2 of 2020 in O.S.No.196 of 2020 on 15.07.2020.

2. The learned Senior Counsel appearing for the petitioner would submit that the petitioner/second defendant has filed a counter affidavit in I.A.No.2 of 2020 in O.S.No.196 of 2020 and the matter is posted on 19.08.2020.

3. The learned counsel for the first respondent / plaintiff would also reiterate the statement that the matter is posted on 19.08.2020.

4. Instead of calling for the records and dispose of the matter, it is better to direct the Trial Court, to dispose of I.A.No.2 of 2020 itself. Both the counsels have also consented for the same.

5. Accordingly, a direction is given to the Trial Court, namely, Subordinate Court, Pollachi, to dispose of I.A.No.2 of 2020 in O.S.No.196 of 2020 on 19.08.2020 or at an early date, preferably within a period of one week from 19.08.2020. In so far as the rejection of plaint is concerned, the petitioner is given liberty to work out his remedy before the Trial Court.

6. Both the Civil Revision Petitions are disposed of with the above direction. No costs. Consequently, connected civil miscellaneous petitions are closed.

12.08.2020

Note: Issue order copy on 14.08.2020

TK

To

The Subordinate Court
Pollachi.

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CRP (PD) NOS.1451 AND 1453 OF 2020

M.GOVINDARAJ, J.

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