

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

C.R.P(PD).No.1239 of 2010

and

M.P.No.1 of 2010

- 1.Sarada
- 2.Sankar
- 3.Kesavan

..Appellants

Vs.

- 1.Tamil Nadu Government
Rep.by its District Collector,
Nagapattinam Collectorate Complex,
South Palpannaicheri
Nagapattinam Town, Taluk & Munsif.

- 2.Special Tahsildar (Land Acquisition)
Road Sector Project,
Collectorate Complex,
South Palpannaichery
Nagapattinam Town, Taluk & Munsif.

- 3.Tahsildar, Nagapattinam
Public Office Road
Vellippalayam,
Nagapattinam Town, Taluk & Munsif.

..Respondents

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the Fair and Decretal order dated 7.9.2009 passed in I.A.No.58 of 2009 in O.S.No.42 of 2009 on the file of the District Munsif Court, Nagapattinam and allow the above Civil

For Appellants : Mr.K.M.Nalinishree

For Respondents : Mr.S.Jaganathan
Government Advocate(CS)

ORDER

The Fair and Decreetal order dated 07.09.2009 made in I.A.No.58 of 2009 in O.S.No.42 of 2009 is sought to be set aside in the present Civil Revision Petition.

2. The Interlocutory Application filed by the petitioners seeking an order of temporary injunction restraining the respondents, their men, agents and servants from in any manner trespassing over the suit property pending disposal of the suit was dismissed. It is pertinent to note that the interim injunction was not granted in the year 2009. Thus, the suit is pending for the past about 11 years without any interim order. Thus, it is preferable to consider grant of any interim injunction at this length of time.

3. Accordingly, the Trial Court is requested to dispose of the main suit as expeditiously as possible in view of the fact that the suit itself is pending for about 11 years.

4. Accordingly, the Fair and Decreetal order dated 07.09.2009 made in I.A.No.58 of 2009 in O.S.No.42 of 2009 stands confirmed and C.R.P(PD).No.1239 of 2010 stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

05.01.2021
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Index: Yes/No

Internet: Yes/No

Speaking order/Non-Speaking Order

To
The District Munsif Court
Nagapattinam.

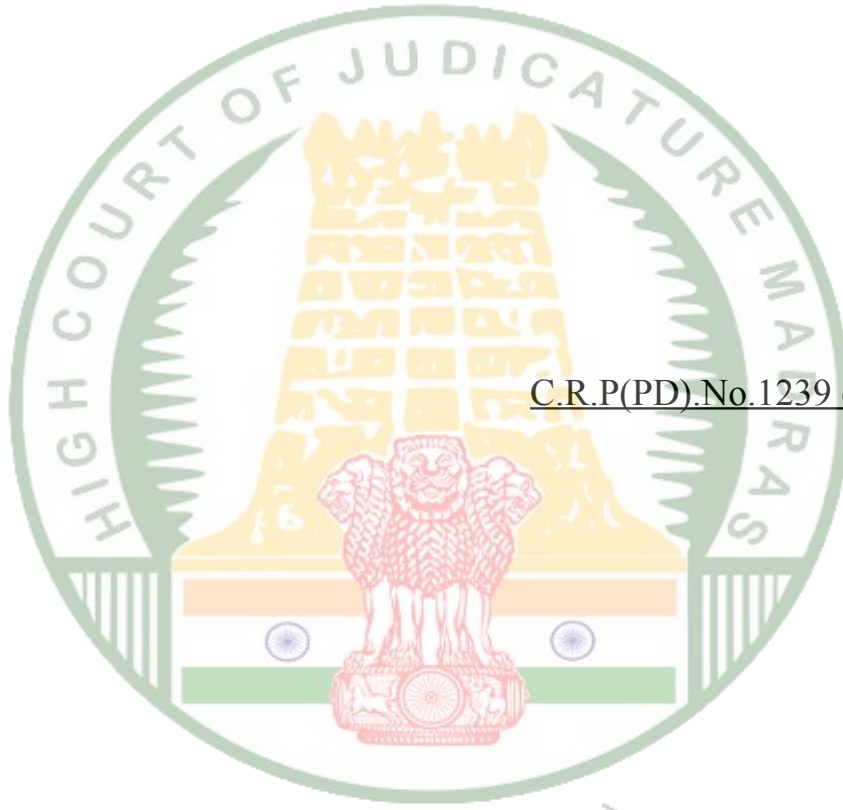


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S.M.SUBRAMANIAM, J.

C.R.P(PD).No.1239 of 2010

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