

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2021

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.PD.No.3061 of 2018

and

C.M.P.No.17748 of 2018

1.Saravanan

2.Chinnasamy

.... Petitioners

Vs.

Sankar

.... Respondent

PRAYER: The Civil Revision Petition is filed under Section 115 of the Civil Procedure Code, to set aside the judgment and decree of the learned Subordinate Judge of Uthangarai, dated 19.04.2018 in C.M.A.No.1 of 2018, reversing the fair and decretal orders of the District Munsif cum Judicial Magistrate of Pochampalli dated 07.10.2017 in I.A.No.186 of 2017 in O.S.No.45 of 2017 and allow the above C.R.P.

For Petitioners

: Mr.J.Hariharan for

M/s.V.Nicholas

For Respondent

: Mr.K.Nagarajan

ORDER

This Civil Revision Petition is directed as against the judgment and decree passed in C.M.A.No.1 of 2018 dated 19.04.2018 on the file of the learned Subordinate Judge, Uthangarai, reversing the fair and decretal order passed in I.A.No.186 of 2017 in O.S.No.45 of 2017 dated 07.10.2017 on the file of the learned District Munsif cum Judicial Magistrate, Pochampalli, thereby dismissing the petition for temporary injunction.

2. The petitioners are the defendants and the respondent is the plaintiff. The respondent filed the suit for permanent injunction. The only point raised in the present Civil Revision Petition is that even according to the respondent, the petitioners are the co-sharers of the suit property. Therefore, they cannot seek injunction as against the co-sharers.

3. Considering the above, the petitioners as well as the respondent are directed to maintain status quo in respect of the suit property as on today. Further, the Court below is directed to dispose of the suit within a period of six months from the date of receipt of a copy of this order.

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

30.06.2021

Speaking/Non-speaking order

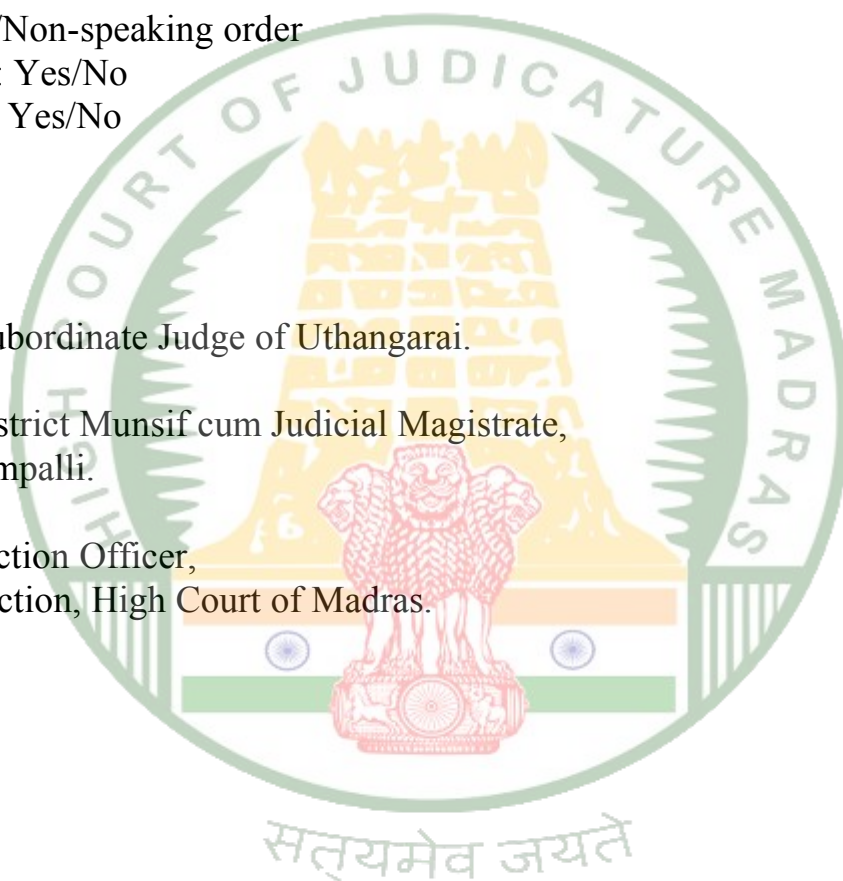
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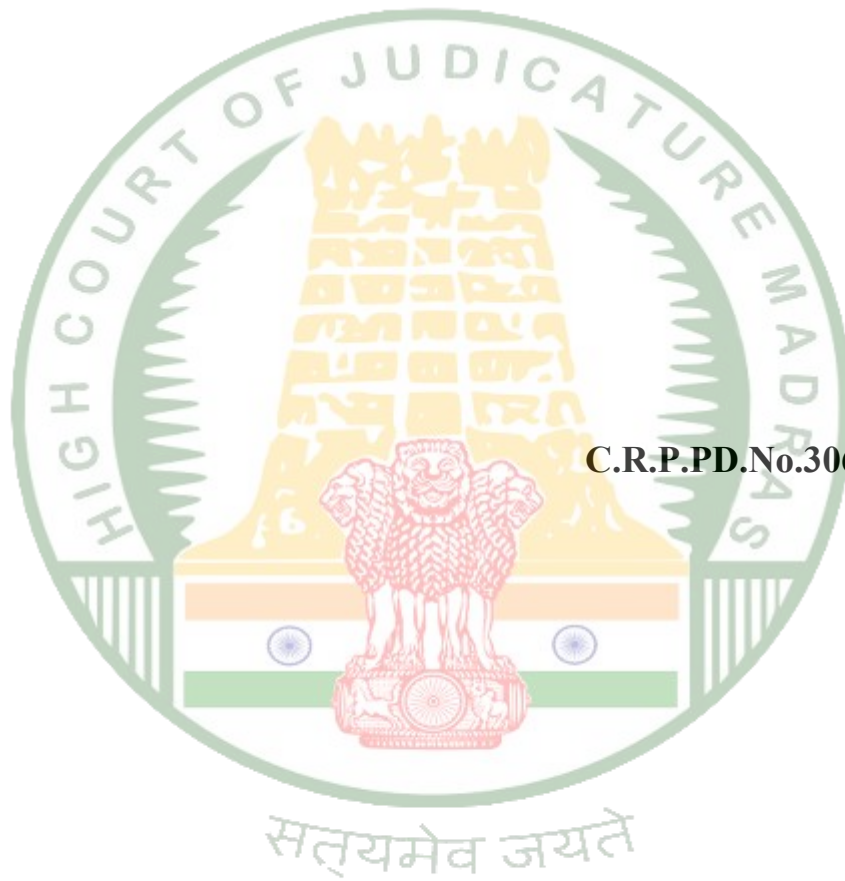
1. The Subordinate Judge of Uthangarai.
2. The District Munsif cum Judicial Magistrate,
Pochampalli.
3. The Section Officer,
V.R.Section, High Court of Madras.



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G.K.ILANTHIRAIYAN,J.

Kv



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