



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.10.2021

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.R.P. (MD) .No.978 of 2021

and

C.M.P (MD) Nos.5549 and 5551 of 2021

Vinoth

...Petitioner/Respondent/
Petitioner/ Plaintiff

Vs.

Victoria Diamond Jubilee Union Club,
Thirumanglam,
through its Secretary,
Office at D.No.352,
Virudhnagar Main Road,
Thirumangalam Town,
Madurai District.

...Respondent / Appellant/
Respondent/Defendant

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to allow the Civil Revision Petition by setting aside the fair and decreetal order passed in C.M.A.No.2 of 2019, dated 08.10.2020 on the file of the Sub-Court, Thirumangalam, reversing the fair and decreetal order passed in I.A.No.541 of 2018 in O.S.No.150 of 2018, dated 04.12.2018 on the file of the District Munsif Court, Thirumangalam pending disposal of the revision petition.

For Petitioner : Mr.V.S.Kishok Kumar

O R D E R

This Civil Revision Petition has been filed to set aside the fair and decreetal order passed in C.M.A.No.2 of 2019, dated 08.10.2020 on the file of the Sub-Court, Thirumangalam.

2.The petitioner herein filed interlocutory application in I.A.No.541 of 2018 under Order 39 Rules 1 & 2 and Section 151 of C.P.C. for granting temporary injunction and not to disturb the plaintiff's possession and enjoyment of the suit property till the disposal of the suit and the same was allowed by the Court below on 04.12.2018. As against the said order, the respondent herein filed C.M.A.No.2 of 2019 to set aside the order passed in I.A.No.541 of



2018 and the same was allowed on 08.10.2020. Aggrieved by this order, the petitioner herein has filed this Civil Revision Petition.

3.Both the relief in the suit and I.A. are one and the same. Since the suit in O.S.No.150 of 2018 is of the year 2018, the learned District Munsif, Thirumangalam, is directed to dispose of the said suit itself. At this stage, the learned counsel for the respondent/defendant submitted that the respondent/defendant filed another suit in O.S.No.141 of 2021 against this petitioner for recovery of possession and also damages. So, the status quo as on today shall be preserved till the disposal of suits.

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

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsd

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Sub-Court,
Thirumangalam.

2.The District Munsif Court,
Thirumangalam.

+1 CC to M/s.V.S.KISHOK KUMAR, Advocate (SR-31448[F] dated 06/10/2021)

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RD(28.10.2021) 2P 4C