



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 12.02.2021

CORAM

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN

C.R.P (MD) No.197 of 2021

and

C.M.P (MD) No.1195 of 2021

Geetha

...Petitioner/Respondent/Petitioner/
Plaintiff

Vs.

Ganesan

...Respondent/Petitioner/Respondent/
Defendant

PRAYER:- Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order in I.A.No.138 of 2020 in I.A.No.125 of 2020 in O.S.No.98 of 2020 dated 22.12.2020 on the file of the District Munsif, Madurai Taluk, Madurai.

For Petitioner : Mr.Muniyandi

O R D E R

Heard Mr.Muniyandi, learned counsel appearing for the petitioner.

2. This revision is filed against the order made in I.A.No.138 of 2020 seeking to vacate the order of injunction granted in I.A.No.125 of 2020.

3. Obviously, this application to vacate the order of injunction was one under Order 39 Rule 4 C.P.C. Order 43 Rule 1(r) C.P.C provides that an appeal shall lie against the order made under Order 39 Rule 4 C.P.C. In view of the same, this Civil Revision Petition is clearly not maintainable. Therefore, the Civil Revision Petition is dismissed as not maintainable. No costs. Consequently, connected miscellaneous petition is closed.

4. The Registry is directed to return the impugned orders to the learned counsel for the petitioner to enable him to file an appeal before the appropriate court.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



To:

1. The District Munsif, Madurai Taluk,
Madurai.

2. The Section Officer, (2 copies)
VR Section,
Madurai Bench of Madras High Court,
Madurai.

3. The Section Officer, ER Section,
Madurai Bench of Madras High Court,
Madurai.

(To return the impugned order in
Original to the Petitioner's Counsel)

+1 CC to Mr.R.MANOCHARAN, Advocate (SR-5404[F] dated 16/02/2021)

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VB (03.03.2021) 2P 6C