



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

C.R.P. (MD) No.1524 of 2014

and

M.P. (MD) No.1 of 2014

WEB COPY

1.Raman
2.R.Saravanan ... Petitioners /Respondents 3 & 4/
Defendants 3 & 4

Vs.

1.Thirupathi,
2.K.Baskaran
3.Pichaimani ... Respondents 2 & 3 / Respondents 1 & 2/
Defendants 1 & 2

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to allow the Civil Revision Petition and set aside the fair and decreetal order dated 01.08.2013 made in I.A.No.118 of 2013 in O.S.No.128 of 2012 on the file of District Munsif Court, Paramakudi.

For Petitioners : Mr.A.Arumugam
For Respondents : Mr.S.M.Ananthamurugan

O R D E R

The Civil Revision Petition has been filed seeking to set aside the fair and decreetal order dated 01.08.2013 made in I.A.No.118 of 2013 in O.S.No.128 of 2012 on the file of District Munsif Court, Paramakudi, by allowing the Civil Revision Petition

2.Heard the learned counsel for the petitioners and the learned counsel for the respondents and perused the materials available on record.

3.The learned counsel for petitioners would submit that the petitioners are defendants 3 and 4 in the suit and they are also office bearers of the Paramakudi Vaniya Uravin Muraiyargalin Pothu Sabai bearing Reg.No.30/73. The first respondent / plaintiff is a transferee *pendentelite* in respect of the premises owned by the association without the approval of the association. The suit has been filed seeking permanent injunction. The petitioners have also obtained order of eviction against the transferrer. The learned counsel would further submit that the petitioners have got good case on merits in the present revision as well as in the suit. Since the suit is still pending on account of pendency of the revision, the



petitioners would seek permission to withdraw the Civil Revision Petition with a limited prayer of direction to the Trial Court to dispose of the suit within the time frame fixed by this Court.

4.Taking into consideration of the submission made by the learned counsel for the petitioners, this Court directs the District Munsif, Paramakudi, to dispose of the suit in O.S.No.128 of 2012 on the file of the District Munsif Court, Paramakudi, on merits and in accordance with law, as expeditiously as possible, preferably, within a period of four months from the date of receipt of a copy of this order.

5.With the above observation, the Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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.

The District Munsif Court,
Paramakudi.

Copy to

The Registrar Judicial, Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-32195[F] dated
22/10/2021)

+1 CC to M/s.S.M.ANANTHA MURUGAN, Advocate (SR-32284[F] dated
22/10/2021)

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