



CRP (PD) No.1588 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2022

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

C.R.P (PD) No.1588 of 2016
and C.M.P.No.8617 of 2016

PL.Murugappan

... Petitioner

Vs.

Andrew John Scott

... Respondent

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India to modify the fair and decreetal order dated 19.12.2014 made in C.M.A.No.17 of 2014 on the file of the III Additional District and Sessions Judge Court, Salem, so as to confirm the fair and decreetal order dated 23.04.2014 made in I.A.No.39 of 2014 in O.S.No.40 of 2014 on the file of the I Additional Subordinate Court, Salem, by allowing this Civil Revision Petition.

For Petitioner : M/s.P.Sivakumar

For Respondent : Mr.K.Gajendiran

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ORDER

This Civil Revision Petition has been filed by the petitioner/ plaintiff aggrieved by the fair and decreetal order passed in C.M.A.No.17 of 2014 by the III Additional District and Sessions Judge, Salem, dated 19.12.2014.

2. The petitioner/plaintiff filed a suit seeking for the relief of permanent injunction in O.S.No.40 of 2014. I.A.No.39 of 2014 was filed seeking for an interim injunction pending disposal of the suit.

3. The application filed seeking for the relief of interim injunction was allowed by the trial Court by an order dated 23.04.2014. Aggrieved by the same, the respondent/defendant filed C.M.A.No.17 of 2014. The Lower Appellate Court through order dated 19.12.2014 modified the order passed by the trial Court and directed *status quo* to be maintained as it prevailed prior to the filing of C.M.A.



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4. Heard M/s.P.Sivakumar, learned counsel appearing for the petitioner and Mr.K.Gajendiran, learned counsel appearing for the respondent.

5. It is brought to the notice of this Court that the trial Court had already commenced the trial and it is in the verge of completion. When this Court entertained the Civil Revision Petition on 04.11.2016, this Court passed an interim order directing the parties to maintain status quo until further orders. This interim order can continue and it will suffice if a direction is issued to the Court below to complete the suit within a time frame.

6. In the light of the above discussion, there shall be a direction to the III Additional District and Sessions Court, Salem, to dispose of the suit in O.S.No.40 of 2014 within a period of three months from the date of receipt of copy of this order. The trial Judge shall report compliance after completion of the suit within the stipulated time fixed by this Court.



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N.ANAND VENKATESH, J.

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The Civil Revision Petition is disposed of in the above terms.

There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

08.12.2022

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To

1. The III Additional District and Sessions Judge Court,
Salem.
2. The I Additional Subordinate Court,
Salem.

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