



CRP (PD) No.3423 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.3423 of 2016
and C.M.P.No.17401 of 2016

M.Palaniappan

... Petitioner

Vs.

Andrew John Scott

... Respondent

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the fair and decreetal order dated 20.01.2016 made in C.M.A.No.19 of 2014 on the file of the II Additional District and Sessions Judge, Salem, reversing the fair and decreetal order dated 23.04.2014 made in I.A.No.102 of 2014 in O.S.No.64 of 2014 on the file of the I Additional Subordinate Judge, Salem.

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.19 of 2014 by the II Additional District and Sessions Judge, Salem, dated 20.01.2016.

2. The petitioner/plaintiff filed a suit seeking for the relief of permanent injunction in O.S.No.64 of 2014. I.A.No.102 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.19 of 2014. The Lower Appellate Court through order dated 20.01.2016 reversed the order passed by the trial Court. Aggrieved by the same, the present Civil Revision Petition has been filed before this Court.



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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 before to complete the suit within a time frame.

6. In the light of the above discussion, there shall be a direction to the II Additional District and Sessions Court, Salem, to dispose of the suit in O.S.No.64 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 II Additional District and Sessions Judge, Salem.
2. The I Additional Subordinate Judge, Salem.

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