



C.R.P.(PD).No.1662 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2022

CORAM:

THE HON'BLE Ms.JUSTICE **R.N.MANJULA**

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1.N.Varadharajan

2.N.Padmanaban

3.N.Venkataraman

4.N.Sundarababu

5.A.Surendaran
Petitioners

...

Vs.

1.S.Mohanammal

2.S.Anandan

3.S.Muthu

4.S.Jaganathan

5.S.Ramki

6.Baby Ammal

7.Rajkumar

... Respondents

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the Trial Court to dispose of the petition for interim



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injunction in I.A.No.2 of 2022 in O.S.No.79 of 2022, pending on the file of the Hon'ble Principal Sub-Court at Ponneri within a time frame fixed by this Court.

For Petitioners : Mr.E.Prabu

ORDER

This civil revision petition has been preferred to direct the Trial Court to dispose of the petition for interim injunction in I.A.No.2 of 2022 in O.S.No.79 of 2022, pending on the file of the Hon'ble Principal Sub-Court at Ponneri.

2. Heard the learned counsel for the petitioners.

3. The petitioners are the plaintiffs in the suit filed in O.S.No.79 of 2022 and they have filed a petition in I.A.No.2 of 2022, for interim injunction pending the suit. In the said petition, notice was ordered and thereafter, on 25.04.2022, vakalat was filed for the defendants. The learned Trial Judge has posted the matter for counter and disposal on 06.06.2022.

4. The learned counsel for the petitioners submitted that on 06.06.2022, the learned Trial Judge did not dispose the matter as per his earlier order. Hence, he should be directed to dispose the matter speedily.

5. When the matter was taken for hearing on 06.06.2022, counter is not



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filed and if the learned Judge thought fit at his discretion to grant further time for the purpose of filing counter, this Court cannot usurp the jurisdiction of the Trial Court by way of giving direction. If the Trial Judge wantonly delays the matter for no obvious reasons, then alone, the parties can come before this Court and plead how they got aggrieved by the orders of the Trial Court. It is also seen that hardly three days have gone from 06.06.2022. Even, according to the learned counsel for the petitioners, the matter is posted to 13.06.2022. Since the learned Judge has adjourned the matter shortly, the learned counsel for the petitioners is always at liberty to place request for early disposal before the learned Trial Judge himself.

6. Under such circumstances, I find no grounds to entertain this civil revision petition. Accordingly, the same stands dismissed. No costs.

09.06.2022

Index: Yes/No
Speaking / Non Speaking Order
gsk

To
The Principal Sub-Court,
Ponneri.



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R.N.MANJULA, J

gsk

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