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C.R.P.(PD)No.2620 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 18.08.2022**

**CORAM :**

**THE HONOURABLE MS. JUSTICE R.N.MANJULA**

**C.R.P(PD).No.2620 of 2022**

Ashvin Vinoth

... Petitioner

Vs

1.M.Annadurai  
2.K.Kandhappan  
3.K.Ramasamy  
4.S.Rudra Balaji  
5.R.Muniyan  
6.R.Shanmugam  
7.Vijaya

... Respondents

**Prayer:-** Petition is filed under Article 227 of the Constitution of India to issue direction to the Sub Court, Sankari to dispose the I.A.No.4 of 2021 in O.S.No.22 of 2021 within a time stipulated by this Court.

For Petitioner : Ms.B.Rathika

**ORDER**

This Civil Revision Petition has been preferred seeking a direction for speedy disposal of I.A.No.4 of 2021 in O.S.No.22 of 2021 pending on the file of the Sub Court, Sankari.



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**2.** Heard the learned counsel for the petitioner and perused the materials

available on record.

**3.** The revision petitioner is the plaintiff, who has filed a suit in O.S.No.22 of 2021 seeking various reliefs of declaration and permanent injunction. During the pendency of the suit, the plaintiff has filed an interlocutory application in I.A.No.4 of 2021 seeking interim injunction and the said application has been adjourned from time to time without any disposal. Hence, the petitioner has preferred the present revision petition.

**4.** On perusal of the adjudication of the learned trial Judge in I.A.No.4 of 2021, it is seen that the case has been adjourned to 30.08.2022 for filing counter of R4, R5 and R6. Since the interim reliefs are sought to avoid further complications, the learned trial Judge ought to have given short adjournments and disposed the applications as early as possible.

**5.** It appears that the learned trial Judge has adjourned the case at one stroke i.e., from 26.04.2022 to 30.08.2022. Such a long pendency in the applications filed



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for seeking interim relief will defeat the very purpose of the prayer. Hence, I feel it is appropriate to impress the learned trial Judge to dispose the interlocutory application as expeditiously as possible. Since the learned trial Judge has adjourned the case at a stretch for four months, the petitioner is at liberty to file a petition to advance the hearing. In the event of such a petition being filed, the learned trial Judge can consider the same and pass appropriate orders.

6. In the result, this Civil Revision Petition is disposed and the learned Subordinate Judge, Sankari is directed to dispose I.A.No.4 of 2021 in O.S.No.22 of 2021 as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of this order. Since the interlocutory application is adjourned to a very longer date i.e. to 30.08.2022, the Court is at liberty to advance the hearing *suo motu*, after giving notice to the parties or on the petition filed by the petitioner. There shall be no order as to costs.

**18.08.2022**

ms

Index : Yes/No

Speaking Order/Non-Speaking Order

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**R.N.MANJULA, J.**  
ms

To

The Subordinate Judge,  
Sankari.

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