



C.R.P(NPD)No.1133 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

C.R.P(NPD).Nos.1133 of 2017

Kulasekaran

..Petitioner

Vs.

The Secretary,
Tiruchengode Co-operative Housing Society Ltd.,
Door No.2/2A, Velur Road,
Tiruchengode Town and Taluk,
Namakkal District.

..Respondent

Prayer: Civil Revision Petition filed under Section 115 of C.P.C., against the fair and decreetal order of the Sub-ordinate Court, Tiruchengode dated 22.11.2016 in I.A.No.79 of 2014 in A.S.No.77 of 2008.

For Petitioner : Mr.P.Valliappan

For Respondent : Mr.S.Kesavan

ORDER

This Civil Revision Petition has been filed, questioning the order in I.A.No.79 of 2014 in A.S.No.77 of 2008, which application had been dismissed by the learned Sub-Judge, Tiruchengode by order dated 22.11.2016.



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2.The said application in I.A.No.79 of 2014 had been filed under Order 39 Rule 1 and 2 of C.P.C., seeking an interim injunction not to alienate or not to encumber the suit property and also not to construct any building in the suit property. The said application had been filed by the plaintiff in O.S.No.415 of 1992, which suit had suffered a dismissal by the judgment dated 31.01.2006 passed by the learned District Munsif, Tiruchengode.

3.In view of the fact that it would only be appropriate that all issues relating to interim injunction are taken up as arguments in the main appeal itself, I would not interfere with the order passed in I.A.No.79 of 2014. Let me also not enter into a detailed discussion because that would entail entering into a discussion on merits, which would touch upon the grounds raised in A.S.No.77 of 2008. Let A.S.No.77 of 2008 be disposed of by the learned Sub-Judge, Tiruchengode in manner known to law.



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4.In view of the observations, this Civil Revision Petition is dismissed and the order under revision is confirmed. No costs.

21.03.2022

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Index:Yes/No

Internet:Yes/No

Speaking/Non-speaking order

To:-

The Sub-Court,

Tiruchengode.



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C.V.KARTHIKEYAN, J.

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