



C.R.P. No.2215 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

C.R.P.No.2215 of 2017
and
C.M.P.Nos. 10548 & 10549 of 2017

1. Chairman,
Board of Trustees,
A/m. Angalamman Thirukkoil
2. Asst. Commissioner/Executive
Officer,
A/m. Angalamman Thirukkoil,

... Petitioners

Vs.

1. Govindaswamy,
S/o. Murugesu Gounder
2. Shankar,
S/o. Narayanasamy Gounder
3. The Joint Commissioner,
Hindu Religious and Charitable
Department,
Villupuram.



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4. The District Collector,
Villupuram District,
Villupuram.

5. The Tahsildar,
Melmalayanur Taluk,
Melmalayanur,
Villupuram Dt.

... Respondents

PRAYER: Civil Revision Petition filed under Art. 227 of Constitution of India, praying to strike off the plaint in O.S.No.668 of 2016 on the file of Addl. District Munsif, Gingee.

For Petitioners : Mr.C.Umashankar for
Mr.M.Selvam

For Respondents : Mr.V.R.Apaswamee,
for R1 & R2

Mr.B.Tamilnidhi
Addl. Govt. Pleader for
R3 to R5

ORDER

The revision petitioners are the defendants 1 and 2 in the suit in O.S.No. 668 of 2016 on the file of learned Addl. District Munsif Court, Gingee filed by the respondents 1 and 2/plaintiffs for the relief of permanent injunction and other consequential relief.



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2. Today, when the matter taken up for hearing, there is no representation on the side of petitioners. The learned counsel for respondents 1 and 2 appeared and submitted that the issue involved in the suit is with regard to auctioning of shops as per tender notice dated 27.09.2006 and now the suit is ripe for trial, in which, the plaintiffs filed an application under Order 39 Rule 1 and 2 in I.A.No. 1519 of 2016, seeking for injunction. Considering submissions of both sides, the trial court allowed the application by granting injunction in favour of plaintiffs. Challenging the impugned order passed in the said application, the present Civil Revision Petition has been filed by the defendants 1 and 2.

3. On seeing the facts and on considering the relief claimed in the suit in respect of tender dated 27.09.2006, this Court is inclined to direct the trial court to dispose the suit within a period of three months from the date of receipt of copy of this order. However, the learned counsel for revision petitioners submitted that already shops were auctioned inspite of impugned order and now the suit is ripe for trial. Therefore, both parties are directed to adduce their evidence in respect of shops as well as auction notification



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before the trial court. Accordingly, this Civil Revision Petition is disposed of with a direction directing the trial court to dispose the case within a period of three months from the date of receipt of copy of this order without considering the merits of application. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

26.09.2022

Index : Yes / No
Internet : Yes / No
Speaking/Non-speaking order
rpp

To

1. Addl. District Munsif,
Gingee.
2. The Joint Commissioner,
Hindu Religious and Charitable
Department, Villupuram.
3. The District Collector,
Villupuram District, Villupuram.
4. The Tahsildar,
Melmalayanur Taluk,
Melmalayanur, Villupuram Dt.
5. The Public Prosecutor,
High Court, Madras.

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T.V.THAMILSELVI, J.

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