



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.05.2022

CORAM

**THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**C.R.P. (MD) .No.1118 of 2022**

WEB COPY

1.M/s S.K.P. Timbers

No.39/1828 (1) New Bypass Road,  
Chalai, Trivandrum,  
Rep. by its Proprietor,  
Kumara Pillai (Died)  
S/o Sivan Pillai,  
Siva Bavan,  
No.39/1833, New Bypass Road,  
Chalai,  
Trivandrum - 695 036.

2.Ambiammal alias Nagammal

3.K.Sivaprasad

4.K.Suresh

5.K.Rajesh

6.K.Ramesh

...Petitioners/Petitioners/Plaintiffs

(The petitioners 2 to 6 are only legal heirs to deceased 1st petitioner and the same was recorded as per order passed in I.A.No.5 of 2022 dated 01.04.2022.)

Vs.

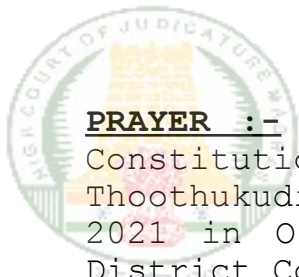
1.M/s.South Indian Bank Limited,  
Rep. by its Branch Manager,  
Tuticorin Branch, P.O. Box.102,  
No.40/41, Perara Street,  
Tuticorin - 628 001.

2.The Chairman

M/s.South Indian Bank Limited,  
Head Office, T.B. Road,  
Mission Quarters,  
Thirussur - 680 001.

3.M/s.South Indian Bank Limited,  
Chalai Branch, 1<sup>st</sup> Floor,  
Sivakami Building,  
Power House Road,  
Near Power House Junction,  
East Fort Chalai Bazar,  
Chalai, Trivandrum - 695036,  
Rep. by its Manager.

... Respondents/Respondents/Defendants



**PRAYER :-** Civil Revision Petition filed under Article 227 of the Constitution of India to direct the Principal District Court, Thoothukudi to expedite and complete the application in I.A.No.1 of 2021 in O.S.No.93 of 2021 on the file of the learned Principal District Court, Thoothukudi.

For petitioners : Mr.M.P.Senthil

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**O R D E R**

The present Civil Revision Petition has been filed seeking early disposal of the application in I.A.No.1 of 2021 in O.S.No.93 of 2021 pending on the file of the learned Principal District Court, Thoothukudi.

2.According to the learned counsel for the petitioner, the said application has been filed seeking an order of interim injunction restraining the respondent Bank from taking any coercive steps pursuant to the loan borrowed by the petitioners. However, the learned counsel for the petitioners fairly place on record that I.A.No.2 of 2021 filed by the respondent bank for rejection of plaint is pending. He also pointed out that I.A.No.3 of 2021, which has been filed by the petitioners/plaintiffs for amendment of cause title of the plaint, is also pending. Unless I.A.No.3 of 2021 is disposed of and the plaint is amended, the question of considering the other two applications may not arise.

3.Considering the facts and circumstances of the case, this Court pass the following orders:-

"The learned Principal District Judge, Principal District Court, Thoothukudi is directed to dispose of I.A.No.3 of 2021 within a period of two weeks from the date of receipt of a copy of this order and amendment of plaint if requires, shall be carried out within a period of 14 days, as contemplated under the Code of Civil Procedure. Thereafter, the applications in I.A.Nos.1 and 2 of 2021 may be heard and orders may be passed simultaneously."

4. With the above observations, this Civil Revision Petition stands disposed of. No costs.

Sd/-

Vacation Officer

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

skn/rm



To

The Principal District Judge,  
Principal District Court,  
Thoothukudi.

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+1 CC to M/s.M.P. SENTHIL, Advocate ( SR-24134[F] dated 26/05/2022 )

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**25.05.2022**

MGJ(02.06.2022) 3P 3C