



CRP(PD)(MD)No.2475 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(PD)(MD)No.2475 of 2022

The Correspondent,
PENI-EL Matric Higher Secondary School,
Penil Nagar, Angarai,
Lalgudi, Trichy District.

... Petitioner

versus

1. S.Ilanchezian
2. T.Mathi
3. V.Mathavi
4. S.Tamilarasan

... Respondents

Civil Revision Petition filed under Article 227 of Constitution of India, seeking a direction to the learned First Additional District Judge, Tiruchirappalli, to dispose of I.A.No.1 of 2021 in O.S.No.367 of 2021 pending on its file.

For Petitioner : Mr.R.Sundar

For Respondents : Mr.K.Dinesh



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CRP(PD)(MD)No.2475 of 2022

ORDER

This Civil Revision Petition is filed seeking a direction to the learned First Additional District Judge, Tiruchirappalli, to dispose of I.A.No.1 of 2021 in O.S.No.367 of 2021 pending on its file.

2. The learned counsel appearing for the petitioner submits that the petitioner is the 3rd plaintiff in O.S.No.367 of 2021. The said suit has been filed for a direction directing the defendants to pay the balance sale consideration of Rs.41,21,350/- together with interest at the rate of 18% per annum from the date of suit till the date of realization to the plaintiffs 1 and 2 and also for perpetual injunction restraining the defendants from interfering with his peaceful possession and enjoyment of the suit B schedule property. Thereafter, the petitioner has also filed an application in I.A.No.1 of 2021 in O.S.No. 367 of 2021 under Order 39 Rules 1 and 2 C.P.C. for injunction restraining the defendants from interfering with his peaceful possession



CRP(PD)(MD)No.2475 of 2022

and enjoyment of the suit B Schedule Property. Though the said application was filed along with the suit on 09.11.2021 and the respondents/defendants have also filed their counter affidavit, the said application is not yet decided by the trial Court. He further submits that the petitioner is also running a School in the suit schedule property and the respondents/defendants have also demolished a portion of the building, for which, a criminal case has also been registered. Hence, he seeks for early disposal of I.A.No.1 of 2021.

3. The learned counsel for the respondents submits that the respondents/defendants have filed their counter affidavit and that they are ready to co-operate for early disposal of I.A.No.1 of 2021.

4. Considering the rival submissions made and also considering the fact that the application filed by the petitioner in I.A.No.1 of 2021 is pending from 09.11.2021, the trial Court is directed to dispose of I.A.No.1 of 2021 in O.S.No.367 of 2021, within a period of three



CRP(PD)(MD)No.2475 of 2022

weeks from the date of receipt of a copy of this order.

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5. With the above direction, the Civil Revision Petition is disposed of. No costs.

22.12.2022

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Index : Yes / No.

Internet: Yes / No.

To

1. The learned First Additional District Judge,
Tiruchirappalli.



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CRP(PD)(MD)No.2475 of 2022

B.PUGALENDHI, J.

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CRP(PD)(MD)No.2475 of 2022

22.12.2022