



C.R.P.(PD).No.2645 of 2019
and C.M.P.No.17470 of 2019

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2023

CORAM : **MR.JUSTICE N.SESHASAYEE**

C.R.P.(PD).No.2645 of 2019
and C.M.P.No.17470 of 2019

Jayaprakash

... Petitioner

Vs.

L.R.Munusamy Naidu

... Respondent

Prayer: Petition filed under Section 115 of Civil Procedure Code, seeking to set aside the fair and decreetal order dated 25.10.2018 passed in C.M.A.No.6 of 2016, on the file of the learned Subordinate Judge, Ponneri, filed against the order passed in I.A.No.1841 of 2014 in O.S.No.112 of 2015 on the file of the District Munsif Court, Ponneri, Thiruvallur District.

For Petitioner : Mr.Sathish Babu
for M/s.Swaraj Associates

For Respondent : Mr.K.Balaji

ORDER

In a suit for specific performance, the plaintiff has taken out an application for an interim injunction seeking to protect his peaceful possession. This



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was ordered by the trial Court vide its order dated 17.08.2015, challenging which the defendant had preferred C.M.A.No.6 of 2016 before the first appellate Court, which confirmed the order of the trial Court vide its order dated 25.10.2018. This is now in challenge.

2.Heard both sides.

3.Without getting into the merit of this matter, this Court finds that this is the 9th year of the institution of the suit, and it is absolutely imperative that the trial of the suit is not halted in anyway. Therefore, the focus must be more on the trial of the case.

4.Both sides are required to participate in the trial and the plaintiff / respondent, in particular is required to get ready for trial. This Court fixes a date for commencement of trial by the trial Court on 07.06.2023. The trial Court is required to dispose of the suit within a period of four months from the date of commencement of trial.



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5.This Civil Revision Petition stands closed accordingly. Consequently, the connected miscellaneous petition is closed. No Costs.

05.04.2023

Anu

Index : yes / no

Internet : yes / no

Speaking / non speaking

Copy to:

- 1.The Subordinate Judge, Ponneri,
2. The District Munsif Court, Ponneri, Thiruvallur District



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N.SESHASAYEE.J.,

Anu

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