



C.R.P.(PD)No.1684 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

C.R.P.(PD)No.1684 of 2016
and CMP.No.9008 of 2016

1.R.J.Haridoss
2.Hemavathi
3.R.J.Gajaapathi
4.K. Yasodha
5.R.J.Krishnamoorthy
6.N.Neelavathi
7.R.J.Baskar
8.Sriram

... Petitioners

Vs.

1.N.Loganathan
2.Minor L.Harish Kumar
Represented by his father & natural
Guardian N.Loganathan

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the judgment and decree passed in I.A.No.22 of 2015 in O.S.No.5474 of 2015 dated 18.03.2016 on the file of the XVI Assistant City Civil Court, Chennai and allow I.A.No.22 of 2015 in O.S.No.5474 of 2015 on the file of the XVI Assistant City Civil Court, Chennai as prayed for.



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C.R.P.(PD)No.1684 of 2016

For Petitioners : Mr.Prabhu Mukunth Arunkumar

For Respondents : Mr.P.Sreenivasulu

ORDER

As per the orders of this Court dated 15.09.2023, both sides agree that the suit in O.S.No.5474 of 2015 on the file of the XVIth Assistant City Civil Court, Chennai has been transferred to this Court. The said suit will be tried along with TOS.No.25 of 2020, which relates to the letters of administration of the Will of Mr.R.J.Mohan.

2.In this revision, the contention was that the suit is not maintainable since the probate proceedings have not ended in favour of the plaintiff. With the suit now having been transferred to the file of the original side of the Court to be tried along with TOS, nothing remains to be adjudicated in this revision.

3.At this stage, Mr.Prabhu Mukunth Arunkumar, learned counsel appearing for the petitioners would submit that taking advantage of the transfer of the suit, the plaintiff might interfere with the possession of the defendant.

4.Mr.P.Sreenivasulu, learned counsel appearing for the respondents



C.R.P.(PD)No.1684 of 2016

undertakes that status quo that prevails as on today will be maintained by his clients.

5.Mr.Prabhu Mukunth Arunkumar immediately reciprocated the same that his client too, who is in occupation of the first floor will not interfere with the occupation of the plaintiff on ground floor and vice-versa. Suffice it to record the statement, this civil revision petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

22.09.2023

Index:Yes/No
Speaking Order :Yes/No
Neutral Citation:Yes/No
vs

To

The XVI Assistant City Civil Court,
Chennai

V.LAKSHMINARAYANAN,J.

3/4



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