



C.R.P(PD).Nos.2302 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2023

CORAM : **JUSTICE N.SESHASAYEE**

C.R.P(PD).Nos.2302 of 2019
and C.M.P.No.15000 of 2019

G.Ramesh

... Petitioner

Vs.

1.Sekar @ Sekara Kounder
2.M.S.Babu
3.M.S.Karnan

4.The Sub Registrar,
Sub Registrar Office,
Marakanam-604 303.

... Respondents

PRAYER: Petition filed under Article 227 of the Constitution of India, seeking to set aside the fair and decretal order in I.A.No.77 of 2016 in O.S.No.13 of 2016 dated 17.06.2016 on the file of the Principal District Munsif, Tindivanam.

For Petitioner	: Mr.N.Suresh
For R1 & R2	: No Appearance
For R3	: Mr.T.Dhanasekaran
For R4	: Mr.C.Jayaprakash Government Advocate



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ORDER

This Revision is preferred by an over alert plaintiff challenging an order which the Court has passed in his application for interim injunction substantially in his favour.

2.The revision petitioner has laid a suit in O.S.No.13 of 2016 before the Principal District Munsif, Tindivanam *inter alia* for declaration of his title over the suit property and also for prohibitory injunction to protect his possession. Along with the suit, he took out I.A.No.77 of 2016 for interim injunction under Order XXXIX Rule 1 & 2 C.P.C.

3. Vide impugned order dated 17.06.2016, the trial Court has found first of the triple criteria required for grant of interim injunction, and found that the plaintiff has established a strong *prima facie* case, but instead of covering the next two aspects, it passed a simple order of status quo, without defining what it actually means. This revision is now taken out against this part of the order of the trial Court, which for practical purposes for a direction to the



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trial Court to clarify its own order on status quo.

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4. Heard both sides. Technically, the revision petitioner is correct on procedure and practice involved in passing the order of interim injunction.

The trial Court is required to issue notice to both sides and required to decide the issue and pass a speaking order what it intended to convey through the order of status quo. This exercise shall be completed on or before 31.03.2023. Till such time, the present status shall continue.

5.This Court finds that the suit is laid in 2016 and it is 7 years now. The trial Court is directed to dispose of the matter as expeditiously as possible.

6.The civil revision petition stands disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

15.03.2023

Anu

Index : yes / no

Speaking / Non Speaking order

Note to office: Issue order copy today i.e 15.03.2023

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N.SESHASAYEE, J.

Anu

To.
The Principal District Munsif, Tindivanam.

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and C.M.P.No.15000 of 2019

15.03.2023