



C.R.P.No.3938 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2023

CORAM:

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

C.R.P.No.3938 of 2023

and

C.M.P.No.24252 of 2023

M/s.Vee Kay Yes Raw Cotton
Marketing Company,
rep. by its Sole Proprietor
N.Krishna Ramanujam

... Petitioner

-Vs-

1. S.Muralidharan
2. S.Renugadevi

... Respondents

Prayer : Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the docket order dated 19.04.2023 passed in I.A.No.2 of 2023 in O.S.No.257 of 2023 on the file of IV Addl. District Munsif Court, Coimbatore.

For Petitioner : Mr.K.Prabhakaran



C.R.P.No.3938 of 2023

ORDER

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Challenging the impugned order passed in I.A.No.2 of 2023 in O.S.No.257 of 2023 passed by the learned IV Addl. District Munsif, Coimbatore, the Revision Petitioner/plaintiff preferred this Civil Revision Petition.

2. Since the relief is claimed challenging the order passed by the trial judge, notice to the respondents is dispensed with.

3. Before the trial court, the Revision Petitioner filed an interlocutory application in I.A.No. 2 of 2023 in O.S.No. 257 of 2023 against the defendants for the relief of ad-interim injunction and on the first hearing, the trial court granted interim order of status quo on 13.03.2023 and thereafter it was extended. Subsequently, on 19.04.2023, the status quo was not extended and to that effect, he filed a memo praying to extend the order of status quo, but it was not considered. Aggrieved over the same, the Revision Petitioner preferred this Civil Revision Petition.



C.R.P.No.3938 of 2023

4. On perusal of the records at page No.26, it reveals that the trial court extended the interim order of status quo till 19.04.2023 from 28.03.2023 and thereafter, it was not extended. So far, the suit is also not ripe for trial. Since because the trial court observed that the plaintiff had a prima facie case, no reason was assigned by the trial judge why the interim order of status quo was not extended. Therefore, the reason assigned by the Revision Petitioner is justifiable one. Accordingly, this Civil Revision Petition is allowed and the order of interim status quo is restored. The trial judge is directed to dispose the I.A.No.2 of 2023 on merit by giving opportunity to both parties. Until then, the order of status quo is ordered to be in force. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

08.11.2023

Index : Yes/No
Speaking Order : Yes/No
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To

The IV Addl. District Munsif,
Coimbatore.



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C.R.P.No.3938 of 2023

T.V.THAMILSELVI, J.

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C.R.P.No.3938 of 2023

08.11.2023