



C.R.P.(PD)No.3108 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

C.R.P.(PD)No.3108 of 2019
and C.M.P.No.20335 of 2019

1.S.Ramkumar
2.Regina Devaki

... Petitioners

Vs.

1.M/s.South India Schedule Tribes,
Welfare Association,
(Regn.No.205/1972),
rep. by its Secretary,
K.Raghupathy,
New No.579, Old No.369,
Anna Salai, Saidapet,
Chennai-600 015.

2.V.T.Kannan
3.V.Kumarakurubaran
4.R.Srinivasan
5.A.Ramadoss

Subburathinammal (Deceased)

6.R.Subramanian
7.R.Lakshminarayanan

1/4



C.R.P.(PD)No.3108 of 2019

8.R.Muthuraman

9.G.Sriranjani

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, against Judgment and decree dated 02.08.2019 made in C.M.A.NO.19 of 2017 on the file of the Principal Sub-Court, Kancheepuram by confirming the Order and decree in I.A.No.250 of 2017 in O.S.No.69 of 2015 dated 04.11.2017 on the file of the Learned District Munsif-cum-Judicial Magistrate Court, Uthiramerur.

For Petitioners : Mr.N.Kumar Rajan

For Respondents : Mr.P.Subba Reddy (for R1)

Mr.J.D.Srikanth Varma for (R3 to R5)

No Appearance (for R2, R6 to R9)

ORDER

O.S.No.69 of 2015 is a suit which is pending before the learned District Munsif-cum-Judicial Magistrate, Uthiramerur. Pending the suit, an application was taken out in I.A.No.250 of 2017 for grant of interim injunction. The said application was dismissed by the learned trial Judge on 04.11.2017 and was confirmed in an appeal in CMA.No.19 of 2017 by the learned Subordinate Court, Kancheepuram. Both the Courts below did not find a prima facie case in favour of the plaintiffs and therefore,



C.R.P.(PD)No.3108 of 2019

denied the application for injunction. Against this order, the present revision has been presented.

2.Heard Mr.N.Kumar Rajan, learned counsel appearing for the petitioners, Mr.P.Subba Reddy, learned counsel appearing for the first respondent and Mr.J.D.Srikanth Varma, learned counsel appearing for the respondents 3 to 5. I have perused the materials available on record.

3.The plaintiffs claim to be in possession of the property and the defendants also, as usual are claiming to be in possession, of the very same property. The fact remains that concurrently the trial Court as well as the lower Appellate Court have found that the plaintiffs have made out a prima facie case and has granted an order of injunction. I do not want to interfere with the same, especially when injunction has been in force for more than a period of six (6) years. Suffice it to direct the learned District Munsif-cum-Judicial Magistrate Court, Uthiramerur to take up O.S.No.69 of 2015 and dispose of the same within a period of nine (9) months from today.

V.LAKSHMINARAYANAN,J.



C.R.P.(PD)No.3108 of 2019

WEB COPY

4. With the above directions, the Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

18.08.2023

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

To

1. The Principal Sub-Court,
Kancheepuram.
2. The District Munsif-cum-Judicial Magistrate Court,
Uthiramerur.

**C.R.P.(PD)No.3108 of 2019
and CMP.No.20335 of 2019**