



C.R.P(MD)No.1622 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

C.R.P(MD)No.1622 of 2019
and C.M.P(MD)No.8493 of 2019

K.Sathya ... Petitioner / Appellant / 2nd Respondent/
2nd Defendant

.Vs.

1.G.Velammal @ Velthai

2.A.Ganapathi ... Respondents1 &2 / Respondents1 &2/
Petitioners/ Plaintiffs

3.V.Annamalai ... 3rd Respondent / 3rd Respondent /
1st Respondent / 1st Defendant

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decretal order, dated 22.02.2019 passed in C.M.A.No.57 of 2018, on the file of the Additional District Court (Fast Track), Tenkasi.

For Petitioner : Mr.V.Meenakshisundaram

For Respondents : Mr.P.Santhana Krishnan for R1& R2

: No appearance for R3



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ORDER

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The Civil Revision Petition is at the instance of the second defendant, who suffered an interim order of injunction in I.A.No.131 of 2018 in O.S.No.62 of 2018, which was filed by the respondents 1 and 2 herein. The trial Court, namely, the Principal Sub Court, Tenkasi, granted an interim injunction as prayed for by the respondents 1 and 2 herein, in and by order dated 06.09.2018.

2. Aggrieved by the same, the revision petitioner preferred C.M.A.No.57 of 2018, before the Additional District Court (Fast Track), Tenkasi. However, C.M.A.No.57 of 2018 came to be dismissed on 22.02.2019. Against which, the present Civil Revision Petition has been preferred.

3. Mr.V.Meenakshisundaram, learned counsel for the revision petitioner would state that the suit is in the stage of trial.

4. Considering that the suit has been taken up for trial and there will not be any useful purpose in revisiting the interim order granted in



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A.No.131 of 2018 in O.S.No.62 of 2018, way back on 06.09.2018 and considering the grounds raised by the revision petitioner and finding that the issue is with regard to the possession and enjoyment of the suit property, it would suffice, if the trial Court is directed to take up the trial and decide the same as expeditiously as possible, preferably on or before 30.04.2024, in accordance with law.

5. It is needless to state that any observation made in any interim order or in the C.M.A., the trial Court will not be influenced by any interim order or the order passed by the Appellate Court in Civil Miscellaneous Appeal.

6. With the above observation, the Civil Revision Petition is dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Index:Yes/No
Internet:Yes/No
NCC:Yes/No
Ls

07.11.2023



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P.B.BALAJI,J.

Ls

To

1. The Additional District Court (Fast Track),
Tenkasi.
- 2.The Principal Sub Court,
Tenkasi.
3. .The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

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