



C.R.P.(MD) No.1646 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2023

CORAM

THE HON'BLE **MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI**

C.R.P.(MD) No.1646 of 2023

1.R.Krishnakumari

2.R.Gokulraj

3.R.Ramya alias Apra

... Petitioners

Vs.

Mohamed Farook

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned District Munsif-cum-Judicial Magistrate, Vilathikulam to expedite and complete the application in I.A.No.2 of 2022 in O.S.No.61 of 2022 on the file of the District Munsif-cum-Judicial Magistrate Court, Vilathikulam, within the time framed by this Court.

For Petitioners : Mr.M.P.Senthil

ORDER

The petitioners have preferred this Civil Revision Petition for a direction to the learned District Munsif-cum-Judicial Magistrate, Vilathikulam to expedite the trial and dispose of I.A.No.2 of 2022 in O.S.No.61 of 2022 on the



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file of the District Munsif-cum-Judicial Magistrate Court, Vilathikulam, within the time to be framed by this Court.

2. The petitioners are the plaintiffs in O.S.No.61 of 2022 on the file of the District Munsif-cum-Judicial Magistrate Court, Vilathikulam. The petitioners have filed an application in I.A.No.2 of 2022 in O.S.No.61 of 2022 for an interim injunction.

3. According to the petitioners, the Court below has granted several adjournments liberally without taking note of the purpose, for which, I.A.No.2 of 2022 has been filed and if the said I.A. is not disposed of, the petitioners would be put to great hardship and the purpose of filing the I.A. would be defeated. Hence, the present Civil Revision Petition is preferred for early disposal of I.A.No.2 of 2022 in O.S.No.61 of 2022 within a time to be fixed by this Court.

3. On perusal of the records, it is seen that the I.A. was filed on 19.12.2022 for an interim injunction pending suit. It has been kept pending till date without passing any final order. Now, the said I.A. is posted on 21.07.2023 for counter and disposal. The said I.A. was filed by the petitioners



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against the respondent/defendant for interim protection in order to safeguard their rights in the suit property till the disposal of the suit. However, the Court below, without taking note of the aforesaid fact, granted several adjournments without any valid reasons.

4. Therefore, considering the facts and circumstance of the case, the learned District Munsif-cum-Judicial Magistrate Court, Vilathikulam is directed to dispose of the application in I.A.No.2 of 2022 in O.S.No.61 of 2022 on merits and in accordance with law, expeditiously, by affording sufficient opportunities to both parties to put forth their contentions, within a period of one month from the date of receipt of a copy of this order.

5. Accordingly, this Civil Revision Petition is disposed of. No cost.

12.07.2023

NCC :Yes/No
Internet: Yes/No
Index: Yes/No
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Issue order copy on 14.07.2023



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K.GOVINDARAJAN THILAKAVADI, J.

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To
The Judge,
District Munsif-cum-
Judicial Magistrate Court,
Vilathikulam,

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12.07.2023