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C.R.P(MD)No.1903 of 2



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2023

CORAM

**THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN
THILAKAVADI**

C.R.P(MD)No.1903 of 2023

and

C.M.P(MD)No.9506 of 2023

G.k.Parthasarathy

... Petitioner/Petitioner/Plaintiff

Vs.

1.Gopalakrishnan alias Gopal

2.Krishnamurthy

3.S.Dheepa

4.V.Jeevanantham

5.The Sub Registrar Joint I & II

The Sub Registrar's Officer,

Office at, Cantonment,

Trichy-1.

... Respondents/Respondents/
Defendants

Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned Subordinate Judge, Trichy, to dispose the Interlocutory Application in I.A.No.4 of 2023 in O.S.No.237 of 2021 pending on its file at the earliest.

For Petitioner

:Mr.S.I.Muthiah



ORDER

This civil revision petition is filed for a direction to direct the learned Subordinate Judge, Trichy, to dispose the Interlocutory Application in I.A.No.4 of 2023 in O.S.No.237 of 2021 pending on its file at the earliest.

2.According to the petitioner/plaintiff, he filed a suit in O.S.No.237 of 2021, before the Subordinate Court, Trichy, for specific performance of the sale agreement dated 03.02.2009 and consequential relief of permanent injunction.

3.During the pendency of the suit, the petitioner has filed an interlocutory application in I.A.No.2 of 2021 seeking injunction against the respondents 1 to 3/Defendants 1-3. However, the said application was closed on 29.06.2022 by the trial Court by stating that the suit is ripe for trial. Pursuant to which, the respondents 1 -3/defendants 1-3 are proceeding the construction in the suit property. Therefore, the petitioner has filed another application in I.A.No.4 of 2023 for injunction restraining the defendants from encumber the suit property in any manner. However, the Trial Court without disposing the above application, posted the said application along with the suit. Aggrieved over the same, the present Civil Revision Petition is filed for early disposal.



3.The learned counsel appearing for the petitioners would submit that the said I.A is being adjourned periodically without any progress and without any reason. Hence, a direction is sought for early disposal of the above I.A within the stipulated time fixed by this Court.

4.Heard the learned counsel appearing for the petitioner and perused the materials available on record.

5.Considering the facts and circumstances of the case, this Court directs the learned Subordinate Judge, Trichy, to dispose the I.A.No.4 of 2023 in O.S.No.237 of 2021, on merits and in accordance with law, as expeditiously as possible, without any unnecessary adjournment, after affording sufficient opportunities to the parties concerned, within a period of one month from the date of receipt of a copy of this order. Till the disposal of the said application, Status-quo as on date shall be maintained.

6.With the above direction, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

02.08.2023

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



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K.GOVINDARAJAN THILAKAVADI, J.

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To

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- 1.The Subordinate Judge,
Trichy.
- 2.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

Note:Issue order copy on 03.08.20203

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and
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