



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2024

WEB COPY

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CMA No.1451 of 2024
and CMP No.12694 of 2024

1.P.V.Mohan

2.Uma Mohan

3.Visalakshi Balasubramanian

4.S.Balasubramanian

5.Mahalaskshmi Sivasamy

6.V.Sivaswamy

7.Rukmani Gopal

..Appellants

.vs.

Covai Properties Centre (India) Private Limited
A Company incorporated under the Companies Act
Having its office at 13/4, 3rd Floor, Covai Care Tower,
Gem Nirmalayam, V.G.Rao Nagar, Ganapathy, Coimbatore – 641 006.
Represented by its Managing Director
Col.A.Sridharan

..Respondent

Prayer: Civil Miscellaneous Appeal filed under Order XLIII of the Code of Civil Procedure, 1908, against the fair and decretal order dated 16.10.2023 passed in IA No.2 of 2023 in A.S.No.64 of 2022 (III Additional Subordinate Judge, Coimbatore) by the learned Judge against O.S.No.2569 of 2014 (IV Additional District Munsif Court, Coimbatore).



For Appellants : Mr.T.N.Rajagopalan

WEB COPY

JUDGMENT

This civil miscellaneous appeal has been filed against the order passed by the learned III Additional Sub Judge, Coimbatore in IA No.2 of 2023 in A.S.No.64 of 2022, dismissing the application filed by the appellants seeking for an order of ad interim injunction restraining the respondent from implementing any increase in the common maintenance charge and catering charge till the disposal of the appeal.

2.Heard Mr.T.N.Rajagopalan, learned counsel appearing on behalf of the appellants.

3.In the considered view of this Court, the appeal has been filed in the year 2022 and considering the age of the appellants, it will be more appropriate to direct the appeal itself to be disposed of within a time frame rather than spending time on the interim order that was passed by the Court below. In view of the same, without going into the merits of the case and without interfering with the order passed by the Court below, there shall be a direction to the learned III Additional Sub Court, Coimbatore to hear the appeal finally pending in A.S.No.64 of 2022 and dispose of the same, within a period of eight weeks from the date of receipt of copy of this order. Both the parties are directed to co-operate for the completion of the proceedings within the time frame fixed by this Court.



WEB COPY

4. Accordingly, this civil miscellaneous appeal is disposed of with the above directions. No Costs. Consequently, connected miscellaneous petition is closed.

27.06.2024

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
ssr



WEB COPY



N. ANAND VENKATESH., J

ssr

To

- 1.The III Additional Subordinate Judge, Coimbatore.
- 2.The IV Additional District Munsif Court, Coimbatore.

CMA No.1451 of 2024
and CMP No.12694 of 2024

27.06.2024