



C.R.P.(PD).No.1274 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.(PD).No.1274 of 2021
and C.M.P.Nos.10000 and 10001 of 2021

1.Minnalammal

2.A.Bhaskar

3.A.Murali

4.A.Babu

5.S.Shanthi

... Petitioners

VS

S.Angamuthu

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the docket order dated 30.07.2019 passed in I.A.No.2 of 2019 in O.S.No.299 of 2019 pending on the file of the IV Additional District Judge, Ponneri as the same is patently illegal, perverse, unconstitutional, against principles of law and natural justice.

For Petitioners : Mr.N.R.Anantha Rama Krishnan

For Respondent : Ms.C.Maria Vinnarasi
for M/s.V.Rajasekar

ORDER



C.R.P.(PD).No.1274 of 2021

Aggrieved by an order granting *exparte* ad-interim *status quo* upto

13.09.2019, the petitioners/defendants are before this Court.

2. The respondent herein filed a suit seeking declaration of title and for injunction restraining the petitioners from encumbering or alienating the suit property. Pending suit, the respondent filed a interlocutory application seeking temporary injunction restraining the petitioners herein from alienating or encumbering the suit property or in any way alter the physical features of the suit property. The Court below by order dated 30.07.2019 granted *exparte* ad-interim *status quo* order in favour of the respondent till 13.09.2019. Aggrieved by the same, the petitioners are before this Court.

3. If the petitioners are aggrieved by *exparte* ad-interim *status quo* order granted by the Court below, it is always open to them to appear before the Court below, file their counter and oppose the same. Instead of following the said course, the petitioners have come by way of this revision. When the petitioners are having effective remedy of appearing before the Court below and opposing the interim prayer, this Court is not inclined to exercise the



C.R.P.(PD).No.1274 of 2021

revisional jurisdiction under Article 227 of the Constitution of India.

WEB COPY

4. Accordingly, the Civil Revision Petition is dismissed with liberty to the petitioners to appear before the Court below and oppose the prayer for injunction.

5. It is stated by the petitioners that the petitioners already filed the counter in I.A.No.2 of 2019 and the matter is adjourned from time to time for enquiry. Therefore, the Court below is directed to dispose of I.A.No.2 of 2019 as expeditiously as possible. No Costs. Consequently, the connected civil miscellaneous petitions are closed.

11.01.2024

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm

To

The IV Additional District Judge,
Ponneri.



WEB COPY



C.R.P.(PD).No.1274 of 2021

S.SOUNTHAR, J.

dm

C.R.P.(PD).No.1274 of 2021

11.01.2024