



C.R.P.(PD).No.1547 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.(PD).No.1547 of 2020
and C.M.P.No.9285 of 2020

1.V.S.Gunaseelan

2.Brinda Devi

3.G. Om Prakash

... Petitioners

VS

Rajasekar

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the order and decreetal order dated 06.07.2020 in I.A.No.1 of 2020 in O.S.No.184 of 2020 on the file of the Subordinate Judge, Pollachi.

For Petitioners : Mrs.AL.Ganthimathi
Senior Advocate

For Respondent : Mr.Kaviarasu



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ORDER

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The Civil Revision Petition is filed challenging the order passed by the Court below granting *exparte* ad-interim injunction in favour of the respondent/plaintiff in I.A.No.1 of 2020, dated 06.07.2020.

2. The respondent herein filed a suit for permanent injunction restraining the petitioners from disturbing his peaceful possession and enjoyment of the suit property and getting the necessary approval and permission from various Government and Private Institutions in his favour to run the theatre in the suit property as per the Memorandum of Understanding dated 07.10.2015. The respondent also filed I.A.No.1 of 2020 seeking interim injunction. The Court below by way of impugned order granted an *exparte* ad-interim injunction by order dated 06.07.2020. The ad-interim injunction was granted till 24.07.2020. Aggrieved by the same, the petitioners have come before this Court.

3. If the petitioners are aggrieved by grant of *exparte* ad-interim injunction, it is for them to move the concerned Court with a petition to



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vacate ad-interim injunction granted in favour of the respondent. When the petitioners have got effective remedy before the Court below by way of filing a petition to vacate the ad-interim injunction, they are not entitled to invoke the supervisory jurisdiction of this Court under Article 227 of Constitution of India.

4. Accordingly, the Civil Revision Petition is dismissed with liberty to the petitioners to work out their remedy before the Court below by moving vacating ad-interim injunction petition.

5. With this liberty, the Civil Revision Petition stands dismissed. No costs. Consequently, the connected civil miscellaneous petition is closed.

04.01.2024

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

To

The Subordinate Judge,
Pollachi.

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S.SOUNTHAR, J.

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