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C.R.P.(PD).No.2756 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2024

Coram

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

C.R.P.(PD). No.2756 of 2024

H.K.Wasif Ahamed

... Petitioner

-Versus-

1.H.K.Suhail Ahamed

2.The Registrar,

Sub-Registrar Office,

Periamet, Poonamallee High Road,

Chennai – 3

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India seeking expeditious disposal of the suit in O.S.No.2112 of 2021 pending on the file of the XVIII Assistant City Civil Court, Chennai within a time frame.

For Petitioner : *Mr.R.Veeramani*

For Respondent 2 : *Mr.N.Muthuvel,*
Government Advocate

ORDER

This civil revision petition seeks an order to expeditiously dispose of O.S.No.2112 of 2021 on the file of the XVIII Assistant City Civil Court at Chennai.



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2. The civil revision petitioner is the first defendant in the suit. The first respondent, who is none other than the brother of the first defendant who has presented a suit in O.S.No.2112 of 2021 seeking permanent injunction to prevent dispossession except otherwise in accordance with law.

3. The civil revision petitioner/first defendant has also entered appearance and filed a written statement. He has also set up a counter claim seeking mandatory injunction to the plaintiff to quit and deliver vacant possession. He has also sought for Rs.50,000/- as damages for unlawful use and occupation.

4. Pending the suit, three applications have been filed, namely I.A.No.2 of 2021 seeking ad interim injunction restraining the first defendant from interfering with the plaintiff's peaceful possession, I.A.No.3 of 2021 seeking ad interim injunction restraining the first defendant not to alienate the property and at the instance of the civil revision petitioner, I.A.No.7 of 2023 seeking interim damages for use and occupation.

5. When these applications are pending, I do not think it would be proper



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on my part to give a direction for disposal of the suit. If such a direction is given, these applications will be closed and the plaintiff will be put to loss and prejudice. Therefore, the learned XVIII Assistant City Civil Judge at Chennai is requested to dispose of all the interlocutory applications, which are pending within a period of eight weeks from the date of receipt of a copy of this Order.

6. Accordingly, this civil revision petition is disposed of. No costs.

05.08.2024

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Index : Yes/No
Speaking Order/Non-speaking order
Neutral Citation : yes/No

To

1.The XVIII Assistant City Civil Court, Chennai



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V.LAKSHMINARAYANAN, J.

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