



WEB COPY



C.R.P.No.2237 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

CRP.No.2237 of 2020 and
C.M.P.No.14091 of 2020

K.G.Balasubramanian

... Petitioner

Vs.

G.Senthilkumar

...Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, praying to set aside the exparte order of injunction dated 02.12.2020 made in I.A.No.234 of 2020 in O.S.No.460 of 2020 on the file of the III Additional District and Sessions Judge, Dharapuram.

For Petitioner
For Respondent

: Mr.M.Guruprasad
: Not ready in notice

ORDER

This Civil Revision Petition is filed challenging the order passed by the Court below granting exparte ad-interim injunction in favour of respondent till 02.02.2021.

1/4



WEB COPY

2. It is the case of the petitioner that earlier he filed a suit for bare injunction in O.S.No.220 of 2020 on the file of the learned District Munsif, Dharapuram and during the pendency of the said suit, the respondent, suppressing the same, filed the present suit in O.S.No.460 of 2020 on the file of learned Principal District Judge, Tiruppur and got ad-interim injunction in I.A.No.234 of 2020.

3. A perusal of the order impugned would suggest that Trial Court after perusal of the documents filed along with the petition for interim injunction, and being satisfied with the prima facie case and balance of convenience, granted an exparte ad-interim injunction till 02.02.2021.

4. It is always open to the petitioner to file an application to vacate the injunction order setting forth all his points including the suppression of facts by the respondent.

5. In view of the availability of effective remedy for the petitioner



C.R.P.No.2237 of 2023

before the Trial Court, this court is not inclined to entertain this revision.

Accordingly, the Civil Revision Petition is dismissed with liberty to the petitioner to move the Trial Court seeking vacation of the interim order.

Consequently, connected miscellaneous petition is closed. No costs.

04.01.2024

Index : Yes / No

Internet : Yes / No

nr

To

The learned III Additional District and Sessions Judge, Dharapuram.



WEB COPY



C.R.P.No.2237 of 2020

S.SOUNTHAR, J.

nr

CRP.No.2237 of 2020 and
C.M.P.No.14091 of 2020

04.01.2024