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C.M.A.No.3307 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**C.M.A.No.3307 of 2024
and C.M.P.Nos.27888 and 27889 of 2024**

T.Prabhu

... Appellant

Vs.

1.Thimmaraj

2.R.Ramamoorthy

3.M.Sivaguru

... Respondents

PRAYER : Civil Miscellaneous Appeal filed under Order 43 Rule 1(r) of CPC, against the fair and decretal order dated 24.10.2024 made in I.A.No.3 of 2024 in O.S.No.1 of 2024 on the file of the Principal District Court, Krishnagiri.

For Appellant

:

Mr.R.Marudhachalamurthy



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J U D G M E N T

This Civil Miscellaneous Appeal has been filed against the fair and decreetal order dated 24.10.2024 passed in I.A.No.3 of 2024 in O.S.No.1 of 2024 by the Principal District Court, Krishnagiri.

2. The facts of the case are that the appellant is the plaintiff and the respondents are the defendants in the suit in O.S.No.1 of 2024 which has been filed praying for declaration to declare the title of the plaintiff in respect of the suit property and to cancel the sale deed dated 01.06.2022 executed by the first defendant in favour of the second defendant, who in turn, has executed the sale deed dated 25.01.2023 in favour of the third defendant and to declare the sale deed dated 25.01.2023 as null and void and for permanent injunction to restrain the defendants 1 to 3 from in any manner alienating or causing encumbrance by means of deeds or documents over the suit property to any third parties. Pending the suit, the appellant filed I.A.No.3 of 2024 in O.S.No.1 of 2024 to grant an ad-interim injunction against the respondents, restraining them from in any manner alienating or



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causing encroachment or encumbrance by means of deeds and documents or disturbances to the suit property, till the disposal of the suit and it was dismissed on 24.10.2024. Challenging the same, this Civil Miscellaneous Appeal has been filed.

3. When the matter is taken up for hearing, the learned counsel appearing for the appellant submits that it would suffice, if this Court directs the trial Court to dispose of the suit in O.S.No.1 of 2024. within a reasonable time.

4. In view of the limited request made by the learned counsel appearing for the appellant, this Court, without going into the merits of the case, directs the learned Principal District Court, Krishnagiri, to dispose of the suit in O.S.No.1 of 2024 within a period of one year from the date of receipt of this judgment.



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5. Accordingly, this Civil Miscellaneous Appeal is disposed of.

There shall be no order as to costs. Connected miscellaneous petitions are closed.

18.12.2024

NCC : Yes / No

Index : Yes / No

Speaking Order : Yes / No

ssb

To

1. The Principal District Court, Krishnagiri.

2. The Section Officer,
V.R. Section,
High Court, Chennai.



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M.DHANDAPANI, J.

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