



C.R.P.(MD).No.289 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.02.2024

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

C.R.P.(MD).No.289 of 2014

and

M.P.(MD).No.2 of 2014

1.Ponnusamy

2.Nallusamy

.. Petitioners/Respondents 4 & 6/
Respondents 4 & 6/Defendants 4 & 6

Vs.

1.Kannammal

.. Respondent/Appellant/
Petitioner/Plaintiff

2.Palanisamy

3.Ramasamy

4.Subramani

5.Soliyammal

.. Respondents/Respondents 1 to 3 & 5/
Respondents 1 to 3 & 5/Defendants 1 to 3 & 5

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order made in C.M.A.No.6 of 2012 on the file of the Additional Subordinate Judge, Karur



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dated 26.09.2012 reversing the fair and decreetal order made in I.A.No.931 of 2010 in O.S.No.582 of 2010 on the file of the Additional District Munsif, Karur dated 02.11.2011.

For Petitioners : Mr.N.Shanmugaselvam
For Respondents : Mr.V.Balaji for R-1
No appearance for R-2 to R-5

ORDER

This Civil Revision Petition has arisen out of the order passed in C.M.A.No.6 of 2012 dated 26.09.2012, wherein, the dismissal order passed in I.A.No.931 of 2010 dated 02.11.2011 was set aside and the same was allowed.

2. It appears that when the petitioners moved the Civil Revision Petition, they also moved an application for an ad-interim injunction in M.P. (MD).No.2 of 2014, wherein, this Court passed the following orders on 25.02.2014:

“Both the petitioners as well as respondents are permitted to use the common pathway until further orders.”



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3. The learned counsels on both sides would submit that now the suit is posted for trial.

4. It appears that the suit has been pending since 2010. Therefore, without going into the merits of the matter, by following the order of this Court dated 25.02.2014, this Civil Revision Petition is disposed of with a direction that both the petitioner as well as the respondents are permitted to use the common pathway for a period of six months. The Trial Court is directed to dispose of the suit within a period of six (6) months from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

06.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm



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To

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- 1.The Additional Subordinate Court,
Karur.
- 2.The Additional District Munsif Court,
Karur.
- 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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C.KUMARAPPAN,J.

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