



C.R.P.(MD)No.2546 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 23.10.2024

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

C.R.P.(MD)No.2546 of 2024  
and  
C.M.P.(MD)No.14766 of 2024

Arul Sivakumar

... Petitioner/Respondent /Petitioner/  
Plaintiff

Vs.

Ramar

... Respondent / Appellant / Respondent /  
Defendant

**Prayer:** Civil Revision Petition is filed under Article 227 of the Constitution of India, against the fair and decreetal order dated 03.10.2023 made in C.M.A.No. 1 of 2022 on the file of the Sub Court, Usilampatti, reversing the fair and decreetal order dated 22.11.2022 made in I.A.No.49 of 2022 in O.S.No.39 of 2022 on the file of the District Munsif-cum-Judicial Magistrate Court, Usilampatti.

For Petitioner : Mr.V.George Raja

For Respondent : Mr.M.A.M.Raja



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## **ORDER**

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Heard both sides.

2. The plaintiff in O.S.No.39 of 2022 on the file of the District Munsif Court, Usilampatti is the revision petitioner herein. It is a suit for permanent injunction. The petitioner applied for temporary injunction by filing I.A.No.49 of 2022. It was allowed. Aggrieved by the same, the defendant filed C.M.A.No.1 of 2022 before the Sub Court, Usilampatti. The first appellate court reversed the order of the trial court and dismissed the injunction application. Aggrieved by the same, this civil revision petition has been filed.

3. When the matter was taken up for hearing, the learned counsel appearing for the revision petitioner submitted that instead of going into the merits of the matter, he would be satisfied, if this Court directs the trial court to complete the suit itself on merits and in accordance with law expeditiously. He also would point out that trial has already commenced.

4. At this stage, the learned counsel appearing for the respondent informs this Court that the defendant has filed Transfer O.P.No.2 of 2024 before the PDJ, Madurai. Without prejudice to the defendant's contention in the transfer OP, I direct the trial court to complete the suit proceedings within a period of five months from the next hearing date which is in the month of December 2024. It is for the defendant to obtain transfer order before the said hearing



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date. The direction now given in this civil revision petition will not in any way take away the rights of the defendant to pursue his contentions in the transfer OP.

5. The Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**23.10.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
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**To:**

- 1.The Sub Court, Usilampatti.
- 2.The District Munsif-cum-Judicial Magistrate Court,  
Usilampatti.



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**G.R.SWAMINATHAN, J.**

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