



C.R.P.(MD)No.2694 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 29.10.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.2694 of 2024
and
C.M.P.(MD)No.15388 of 2024

V.Saravanan

... Petitioner/7th Appellant / 7th Petitioner/
7th Plaintiff

Vs.

1.P.K.Ganesan

2.K.Ramesh

3.C.Manickam

4.A.Sathya Moorthy

... Respondents 1 to 4 / Respondents 1 to 4 /
Respondents 1 to 4 / Defendants 1 to 3 & 3rd Party

5.M.S.Packiam

6.T.Ganesan

7.A.Veeramani

8.M.Balasubramanian

9.J.Murugavel

10.C.M.Gurusamy



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11.S.Dhaneshwaran

... Respondents 5 to 11 / Appellants 1 to 6 & 8/
Petitioner 1 to 6 & 8 / Plaintiff 1 to 6 & 8

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the Judgment and decree passed by the learned Sub Judge, Sivakasi in C.M.A.No.5 of 2023, dated 17.04.2024 arising out of I.A.No.3 of 2023 in O.S.No.133 of 2023, dated 20.11.2023 on the file of the learned District Munsif, Sivakasi and allow the Civil Revision Petition.

For Petitioner : Mr.D.Dhanachandra Prakash

ORDER

Heard the learned counsel appearing for the revision petitioner. Issuance of notice to the respondents is dispensed with.

2. The petitioner is figuring as 7th plaintiff in O.S.No.133 of 2023 on the file of the District Munsif Court, Sivakasi. The plaintiff filed I.A.No.3 of 2023 for injunction. It was declined. Questioning the same, the petitioner filed C.M.A.No.5 of 2023 before the Sub Court, Sivakasi. It was also declined. Challenging the same, this civil revision petition has been filed.

3. When the two courts have concurrently declined to grant temporary injunction, by exercising revisional jurisdictional I do not propose to interfere.



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4. However, taking note of the overall facts and circumstances, the learned District Munsif Court, Sivakasi is directed to dispose of O.S.No.133 of 2023 on merits and in accordance with law within a period of three months from the next hearing date.

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

29.10.2024

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

- 1.The Sub Judge, Sivakasi.
- 2.The District Munsif, Sivakasi.



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G.R.SWAMINATHAN, J.

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