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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

**C.R.P.Nos.2958, 2961, 2964,
2971, 2974 & 3070 of 2023
and CMP.Nos.19007, 18351, 18288,
18384, 18269 & 18282 of 2023**

C.M.Karthikeyan

... Petitioner
in all petitions

Vs.

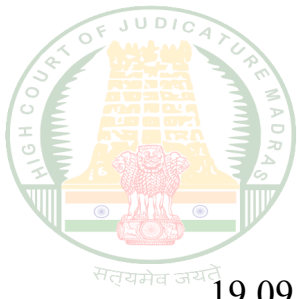
Y.Devaraj

... Respondent
in all petitions

Prayer in CRP.No.2958 of 2023:- Civil Revision Petitions filed under Article 227 of the Constitution of India against the docket order dated 18.08.2022 passed in I.A.No.5 of 2022 in I.A.No.3 of 2021 in O.S.No.206 of 2021 by the District Munsif Court, Chengalpattu.

Prayer in CRP.No.2961 of 2023 :- Civil Revision Petitions filed under Article 227 of the Constitution of India against the docket order dated 18.08.2022 passed in I.A.No.3 of 2021 in O.S.No.206 of 2021 by the District Munsif Court, Chengalpattu.

Prayer in CRP.No.2964 of 2023 :- Civil Revision Petitions filed under Article 227 of the Constitution of India against the docket order dated



19.09.2022 passed in I.A.No.2 of 2021 in O.S.No.206 of 2021 by the District Munsif Court, Chengalpattu.

Prayer in CRP.No.2971 of 2023 :- Civil Revision Petitions filed under Article 227 of the Constitution of India against the docket order dated 18.08.2022 passed in I.A.No.4 of 2022 in I.A.No.3 of 2021 in O.S.No.206 of 2021 by the District Munsif Court, Chengalpattu.

Prayer in CRP.No.2974 of 2023 :- Civil Revision Petitions filed under Article 227 of the Constitution of India against the docket order dated 18.08.2022 passed in I.A.No.7 of 2021 in O.S.No.206 of 2021 by the District Munsif Court, Chengalpattu.

Prayer in CRP.No.3070 of 2023 :- Civil Revision Petitions filed under Article 227 of the Constitution of India against the docket order dated 18.08.2022 passed in I.A.No.3 of 2021 in O.S.No.206 of 2021 by the District Munsif Court, Chengalpattu.

For Petitioners : Mrs.K.Sumathi
in all petitions

For Respondents : No appearance
in all petitions

COMMON ORDER

Challenging the docket order dated 18.08.2022 & 19.09.2022



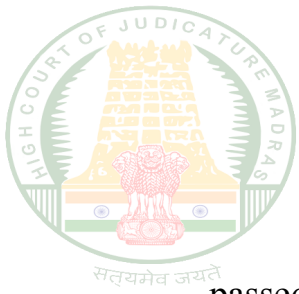
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passed in I.A.No.5 of 2022, I.A.No.3 of 2021, I.A.No.2 of 2021, I.A.No.4 of 2022, I.A.No.7 of 2021 & I.A.No.6 of 2022 in I.A.No.3 of 2021 in O.S.No.3 of 2021, O.S.No.206 of 2021, O.S.No.206 of 2021, O.S.No.206 of 2021, O.S.No.206 of 2021 by the District Munsif Court, Chengalpattu, these civil revision petitions have been filed.

2. In all these revision petitions, despite several opportunities granted to the respondent there is no representation on behalf of the respondent.

3. The learned counsel for the petitioner submitted that the order of status quo granted by the trial Court and the complaint of the revision petitioner that the said order of status quo has been violated by the respondent and in order to bring the same to light, the revision petitioner has taken out interlocutory applications by way of application under Order 39 Rule 2A r/w Section 151 of CPC to punish the respondent and also to bring the additional documents.

4. She further submitted that though application for appointment of Advocate Commissioner was filed along with the suit, no orders were



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passed and subsequently the trial Court has chosen to close all these applications after framing issues.

5. When the trial Court granted an order of status quo and it is brought to the notice of the Court that there has been breach of the order of status quo, then the trial Court ought not to have closed these applications, along with the other applications. The trial Court should have viewed the violation seriously and should have considered the applications filed under Order 39 Rule 2A r/w Section 151 of CPC. Similarly with regard to the appointment of Advocate Commissioner application which was filed along with the suit and also applications to file additional documents which were only to bring to light the additional construction that have been put up, violating the order of status quo, the trial Court should have considered all these applications before proceeding with the trial. The closure of all these applications is wholly unsustainable.

6. In view of the above, the order passed by the learned District Munsif Judge, Chengalpattu in I.A.No.5 of 2022, I.A.No.3 of 2021, I.A.No.2 of 2021, I.A.No.4 of 2022, I.A.No.7 of 2021 & I.A.No.6 of 2022 in I.A.No.3 of 2021 in O.S.No.3 of 2021, O.S.No.206 of 2021,



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O.S.No.206 of 2021, O.S.No.206 of 2021, O.S.No.206 of 2021 dated 18.08.2022 & 19.09.2022 are hereby set aside and all these applications shall be reopened and the trial Court is directed to conduct enquiry and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

7. In the result, these civil revision petitions stand allowed. No costs. Consequently connected miscellaneous petitions are also closed.

Index : No
Internet : Yes
dpq

18.07.2025

To
The District Munsif Court,
Chengalpattu.

P.B.BALAJI, J.

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