



C.R.P.No.5947 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.5947 of 2025
and C.M.P.No.29406 of 2025

G.Premavathy

... Petitioner

VS.

The Executive Engineer cum Administrative Officer,
Vellore Housing Scheme,
Tamil Nadu Housing Board,
Sathuvachari Part – 1,
Vellore – 632 009, Vellore District.

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the order dated 03.11.2025 made in I.A.No.2 of 2025 in O.S.No.98 of 2025 on the file of learned District Munsif, Arakkonam.

For Petitioner : Mr.Jeremiah Gregory John

ORDER

The Civil Revision Petition is filed challenging the order passed by the District Munsif, Arakkonam in I.A.No.2 of 2025 in O.S.No.98 of 2025, dated 03.11.2025 ordering notice to the respondent in a petition for



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temporary injunction filed by the petitioner/plaintiff.

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2. The petitioner herein filed a suit against the respondent seeking declaration that E-Auction Notice issued by the respondent dated 29.09.2025 was null and void and not binding on the plaintiff. She also sought for permanent injunction restraining the defendant from dealing with the suit property in any manner pending disposal of the suit. The petitioner/plaintiff also filed a interlocutory application in I.A.No.2 of 2025 seeking temporary injunction restraining the respondent from dealing with the suit property pending disposal of the suit. On the date of first hearing on 03.11.2025, the Trial Court was pleased to order notice to the respondent. Aggrieved by the said order, the petitioner has come before this Court.

3. The learned counsel appearing for the petitioner by relying on the judgment of this Court in ***R.Kamala vs. Vikram Singh*** reported in **2024 (2) CTC 249**, submits that the Trial Court committed an error in ordering notice to the respondent without recording any finding with regard to the *prima facie* case.

4. The order impugned in the revision, does not decide any substantial



rights of the parties. The petitioner prayed for grant of temporary injunction.

The Trial Court after perusal of the papers thought it fit to hear the other side and ordered notice to the respondent. Whenever an application for interim injunction is filed, the Court shall issue notice to the other side and pass orders after hearing the respondent, unless it is satisfied ordering notice to the respondent will cause serious prejudice to the petitioner and right of the petitioner shall be protected by grant of an *exparte* ad-interim injunction. In case, court is decided to grant an *exparte* ad-interim injunction, it has to record reasons by taking into consideration the *prima facie* case, balance of convenience, irreparable injury to the parties.

5. In the case on hand, the Trial Court has not granted any *exparte* ad-interim injunction, it only decided to hear the other side before granting any interim injunction and hence, issued notice. Therefore, the rights of the parties are not at all substantially decided and the order passed by the Trial Court will not cause any serious prejudice to the petitioner. Therefore, this kind of orders cannot be subjected to the revision before this Court. However, it is always open to the petitioner to press for interim order before the Trial Court in the next date of hearing, after appearance of the



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respondent. The petitioner, in the next date of hearing may file additional affidavit, additional documents and bring it to the notice of the Court, subsequent events, if any, warranting interim order. Therefore, I am not inclined to interfere with the order passed by the Trial Court issuing notice to the respondent. Accordingly. The Civil Revision Petition is dismissed.

6. The learned counsel appearing for the petitioner submits that the respondent already entered appearance before the Trial Court in interlocutory application.

7. In view of the same, the District Munsif, Arakkonam Court is directed to dispose of interlocutory application in I.A.No.2 of 2025, as expeditiously as possible. No costs. Consequently, the connected civil miscellaneous petition is closed.

27.11.2025

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm



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To

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1. The District Munsif, Arakkonam.
2. The Executive Engineer cum Administrative Officer,
Vellore Housing Scheme,
Tamil Nadu Housing Board,
Sathuvachari Part – 1,
Vellore – 632 009, Vellore District.



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S.SOUNTHAR, J.

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