



C.R..P.(PD)(MD).No.270 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(PD)(MD)No.270 of 2025

1. Nesamony

2. Pratheesh

... Petitioners/Respondents

Vs.

Pushpa Lilly

... Respondent/Appellant

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, seeking to dispose of the C.M.A.No.5 of 2018 pending before the Sub Court, Kuzhithurai.

For Petitioner : Mr.K.P.Narayanakumar

ORDER

The present Civil Revision Petition has been filed by the respondents in C.M.A.No.5 of 2018 on the file of the Sub Court, Kuzhithurai seeking expeditious disposal of the above appeal.



C.R..P.(PD)(MD).No.270 of 2025

WEB COPY

2. The revision petitioners herein has filed O.S.No.113 of 2018 on the file of the Principal District Munsif Court, Kuzhithurai for the relief of permanent injunction restraining the defendant from making rubber latex sheet rolling machine from the “B” schedule property or directing the respondent/defendant to shift the rubber latex sheet rolling machine to some other place owned by the respondent/defendant near to the plaint “B” schedule property. Along with suit, the plaintiffs had filed I.A.No.333 of 2018 seeking interim injunction. The trial Court was pleased to grant interim injunction on 06.10.2018. Challenging the same, the defendant has filed C.M.A.No.5 of 2018. Pending appeal, an interim order has been granted by the appellate Court. However, the appeal has not been disposed of for the past 6 years. Citing the pendency of C.M.A.No.5 of 2018, the suit is also not taken up for trial. Aggrieved over the same, the present Civil Revision Petition has been filed seeking expeditious disposal of C.M.A.No.5 of 2018.

3. A perusal of “B” diary extract shows that the appeal is being adjourned citing pendency of the stay petition in I.A.No.245 of 2018. Pendency of stay petition cannot be a ground for not hearing the main appeal.



C.R..P.(PD)(MD).No.270 of 2025

WEB COPY

4. In view of the above said facts, the learned Subordinate Judge, Kuzhithurai is directed to dispose of C.M.A.No.5 of 2018 on or before **30.04.2025** and report the same before this Court.

5. In view of the above said facts, this Civil Revision Petition stands disposed of. There shall be no order as to costs.

06.02.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi

To

1. The Sub Court,
Kuzhithurai.
2. The Principal District Munsif Court,
Kuzhithurai.
3. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



C.R..P.(PD)(MD).No.270 of 2025

R.VIJAYAKUMAR,J.

ebsi

C.R.P(PD)(MD)No.270 of 2025

06.02.2025