



C.R.P.(PD)(MD).No.301 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2025

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P.(PD)(MD).No.301 of 2025

S.R.Lali

... Petitioner

-VS-

Karunakaran

...Respondent

PRAYER: The Civil Revision Petition has been filed under Article 227 of Constitution of India, to direct the District Munsif to dispose O.S.No.332 of 2013 on the file of the II Additional District Munsif Court, Kuzhithurai within a time fixed by this Court by allowing this civil revision petition.

For Petitioner : Mr.T.Selvan

ORDER

The plaintiff in O.S.No.332 of 2013 on the file of the II Additional District Munsif Court, Kuzhithurai is the revision petitioner.

2.The said suit was filed for the relief of permanent injunction not to disturb his possession over the suit schedule shop and from evicting



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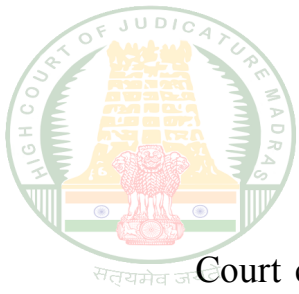
the plaintiff by force.

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3.The plaint averments reveal that the plaintiff is the subtenant of the defendant and the original owner is one Basan Shanthini. According to the plaintiff, the defendant is attempting to disturb his possession. Pending suit, an order of interim injunction was granted in favour of the plaintiff.

4.It is the further contention of the plaintiff that the said interim injunction order was violated by the defendant and he was forcibly evicted from the property. Therefore, the plaintiff had filed I.A.No.4 of 2024 to punish the defendant. I.A.No.5 of 2024 was filed seeking interim injunction not to induct any tenant into the property. I.A.No.6 of 2024 has been filed seeking interim injunction to handover possession of the property to the plaintiff. I.A.No.7 of 2024 has been filed to implead a third party who is claiming title over the suit schedule property. Since all the interim applications are pending, the trial Court has not proceeded with the trial. Hence, the present civil revision petition.

5.A perusal of 'B' diary extract reveals that the plaintiff's side evidence was closed on 18.01.2024. So far the defendants have not let in evidence in view of the pendency of I.A.Nos.4 to 7 of 2024. The trial



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Court cannot be blamed for not proceeding with the trial, in view of the fact that the applications filed by the plaintiff are pending.

6.The learned counsel for the revision petitioner submitted that the plaintiff would be satisfied if a direction is issued to the trial Court to dispose off these interim applications.

7.In view of the above said submissions, the trial Court is directed to dispose of I.A.Nos.4 to 7 of 2024 on or before 30.04.2025.

8.With the above said directions, this Civil Revision Petition is disposed of. No costs.

10.02.2025

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
msa

To

1. The II Additional District Munsif Court, Kuzhithurai
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR, J

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