



CRP(MD). No.1612 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 09/06/2025

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**CRP (MD). Nos.1612, 1630 and 1641 of 2025
and CMP(MD) Nos.8355, 8455 and 8565 of 2025**

C.S.I Kanyakumari Diocese
Represented by its Bishop
Nagercoil

... Petitioner/
1st defendant in all petitions

Vs

1. P.Arul Ananth,
Correspondent Cum Secretary,
C.S.I.Matriculation Higher Secondary School,
Nagercoil..

... Respondent/plaintiff

2. The Executive Committee of C.S.I Kanyakumari Diocese,,
Rep.By its Secretary,
Nagercoil.

... Respondents/
2nd defendant in all petitions

PRAYER :- Civil Revision Petitions filed under Article 227 of the Constitution of India to call for the records pending on the file of the 1st Additional District Munsif Court, Nagercoil in docket order dated 30.04.2025 made in I.A.Nos. 8 to 10 of 2025 in I.A.Nos.4 to 6 of 2024 in O.S.No. 108 of 2024 and set aside the same and allow the I.A.Nos.8 to 10 of 2025.



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For Petitioner : Mr.N.Dilipkumar for
Mr.S.Balamurugan

ORDER

The Civil Revision Petitions have been filed against the docket order dated 30.04.2025 made in I.A.Nos. 8 and 9 of 2025 in I.A.Nos.4 & 5 of 2024 in O.S.No. 108 of 2024 on the file of the Additional District Munsif Court, Nagercoil.

2. Since no adverse orders are going to be passed against the respondents, notice to the respondents is dispensed with.

3. The learned counsel for the petitioner would submit that plaintiff/first respondent has filed a suit in OS No.108/2024 and first respondent also filed IA Nos.4 to 6 of 2024 for ad-interim injunction and after adjudication, the trial Court granted interim injunction against the petitioner herein. Aggrieved by the grant of interim injunction, the petitioner filed an appeal in Civil Miscellaneous Appeal and the said civil miscellaneous appeal was returned on the ground that the petitioner

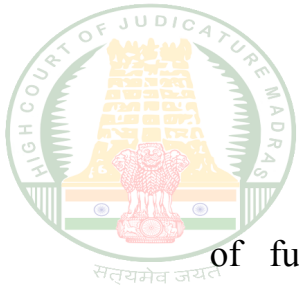


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has not annexed the certified copy of the interim injunction granted by the trial Court. Thereafter the petitioner filed applications in IA Nos.8 to 10 of 2025 before the trial Court to stay the operation of the interim injunction till the issuance of certified copy enabling the petitioner to prefer an appeal before the lower appellate Court. However, IA Nos.8 to 10 / 2025 were adjourned. When limitation is available to the petitioner is exceeded, there is no remedy available to the petitioner to file an appeal. Further due to the grant of interim injunction, prejudice is caused to the petitioner. However, now, the learned counsel for the petitioner restricted his prayer for issuance of a direction to the trial Court to furnish the certified copy of the order of interim injunction within a reasonable time fixed by this Court enabling them to represent the CMA and the lower appellate Court may be directed to dispose the appeal within a reasonable time.

4. Heard the learned counsel for the petitioner. I have also perused the materials available on record.

5. Considering the limited request made by the petitioner, instead



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of furnishing the certified copy of the interim injunction order, adjourning the interlocutory applications by the Court below is not sustainable. Accordingly, IA Nos.8 to 10 of 2025 in I.A.Nos.4 to 6 of 2024 in O.S.No.108/2024 stand disposed of and the trial Court is directed to furnish the certified copy of the order in IA Nos.4 to 6 of 2024 within a period of one week from the date of receipt of a copy of this order. On receipt of the same, the petitioner is directed to represent the Civil Miscellaneous Appeal and thereafter the lower appellate Court is directed to consider the same on merits and in accordance with law. The period spent before the lower appellate Court and this Court shall be excluded for the purpose of limitation.

6. With the above direction, the Civil Revision Petitions stand disposed of. No costs. Consequently connected Miscellaneous Petitions are closed.

09.06.2025

NCC : Yes/No

Index : Yes/No

Office to note : Order Copy by 09.06.2025.

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TO

1. The Additional District Munsif Court, Nagercoil

2. VR Section

Madurai Bench of Madras High Court, Madurai.

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M.DHANDAPANI,J

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**ORDER
IN
CRP(MD) (NPD) Nos.1612, 1630 and 1641 of 2025**

Date : 09/06/2025