



WEB COPY

CRP No. 2573 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-04-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2573 of 2026

AND

CMP NO. 10851 OF 2026

1. M.Vijayakumar
S/o Munusamy, No 31, Sadaiyappa
Vallal Street, East Ayanambakkam,
Chennai

2. V.Selvakumar
s/o.M.Vijaya Kumar

Petitioner(s)

Vs

1. M/s.Madras Concrete Products
Rep by its Proprietor, Mahadevan, S/o
Kabali, Survey No 185, Erikari Road,
Kollacheri Village, Kundrathur,
Chennai 600 069

2.The IDFC FIRST Bank
Rep. by its Manager, Mogappair
Branch, GR FLR, Block No.2/PC-8,
Kamber Salai, Mogappair West,
Chennai.

3.ICICI Bank Ltd.,
Rep. by its Manager, Vanagaram
Branch, Shop No..1 Guru Brindavan
Garden, Vanagaram, Ambattur Main
Road, chennai 600 095.

Respondent(s)



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PRAYER

To set aside the docket order in IA.No.3 of 2026 in OS.No.138 of 2026 on the file of the Addl.Dist.Munsif Court, Poonamallee, dated 07-04-2026

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For Petitioner(s): MR.OM PRAKASH SENIOR
COUNSEL FOR
M/S.K.M.Vijayan Associates

For Respondent(s):

ORDER

This Civil Revision Petition has been filed seeking to set aside the docket order in IA.No.3 of 2026 in OS.No.138 of 2026 on the file of the Additional District. Munsif Court, Poonamallee.

2. The petitioners herein filed IA.No.3 of 2026 in OS.No.138 of 2026 on the file of the Additional District Munsif Court, Poonamallee, seeking order of interim injunction restraining the 1st respondent, his men, agents, servants, representatives, or any person claiming through or under him, from in any manner interfering with, obstructing, or disturbing the peaceful use operation, movement, and deployment of the vehicle as mentioned in the plaint schedule by the petitioner, pending disposal of suit. In the said application, the Trial Court issued notice to the respondent and posted the matter on 09.07.2026. Challenging the docket order the petitioners filed this Civil Revision Petition.



3. The learned counsel for the petitioners submit that the subject matter of suit property in OS No. 138 of 2025 is 25 Vehicles(16-Tipper Vehicles, 2 – L& T Roller, Grader, JCB, Leeboy Grader, BMW, Wolkdswoogan, Porsche, Swift cars) and 1st respondent is the owner of the vehicle. The petitioner and the 1st respondent entered into business agreement, under which, the 1st respondent purchased the vehicle in his name and handed over to the petitioners for business purposes and entire sale consideration has to be paid by the petitioners. But on contrary to the terms of the agreement entered between them, the 1st respondent attempted to illegally take over the above said vehicles though the petitioners paid EMI to the above vehicles.. Hence, the petitioners approached the Court for the relief of Permanent injunction with other consequential relief. While so, the petitioners filed IA.No.3 of 2026 in OS.No.138 of 2026 on the file of the Additional District Munsif Court, Poonamallee, seeking interim injunction. However, without considering the prima facie material on the side of the petitioners, the trial court simply adjourned the matter to 09.07.2026. If at the vehicle has been seized or taken over by the 1st respondent, it would cause hardship to the petitioners. To substantiate his claim, the learned counsel relied on the judgements of the Hon'ble Apex Court in the case of *Zenit Mataplast (P) LTD Vs. State of Maharashtra reported 2009 10 SCC 385*

23. Interim order is passed on the basis of prima facie findings, which are tentative. Such order is passed as a temporary arrangement to preserve the status quo



till the matter is decided finally, to ensure that the matter does not become either infructuous or a fait accompli before the final hearing. The object of the interlocutory injunction is, to protect the plaintiff against injury by violation of his right for which he could not be adequately compensated in damages recoverable in the action if the uncertainty were resolved in his favour at the trial. (vide [Anand Prasad Agarwalla v. State of Assam](#) vs. Tarkeshwar Prasad & Ors. AIR 2001 SC 2367; and Barak Upatyaka D.U. Karmachari Sanstha (2009) 5 SCC 694)

4. Heard the learned counsel for the petitioner.

5. Considering the fact that the subject matter of the suit property is 25 vehicles. If the vehicle is removed or taken over by the respondent it would put too much hardship to the petitioners. Hence, the Trial Court is directed to dispose of I.A within a period 12 weeks from the date of receipt of a copy of order. Further, till the disposal of I.A status quo is ordered to be maintained. Accordingly, this Civil Revision Petition is allowed. No Costs. Pending miscellaneous petition, if any, is closed.

27-04-2026

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Additional District Munsif Court, Poonamallee.
2. The Section officer, V. R Section, High Court, Madras.



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T.V.THAMILSELVI J.
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