

IN THE COURT OF ADDITIONAL DISTRICT MUNSIF, CHIDAMBARAM

Present: Tmt. E. Swetha, B.B.A., L.L.B (Hons)
Additional District Munsif
Chidambaram

Monday, the 16th day of March 2026

IA.310/2025 in OS.NO.76/2013

Jothi

..... Petitioner/Plaintiff

/Vs/

Sathasivam

.... Respondent/Defendant

This petition is coming on 9.3.2026 for final hearing before me in the presence of Thiru.R.Gnanamani, Advocate for petitioner and Thiru.N.Rajendiran, Advocate for respondent and upon hearing the argument of both sides and on perusal of case records and having stood over for consideration till this day, this court delivers the following:

ORDER

Petition filed under Section 151 of CPC to stay all further proceedings in the suit for the period of six months until the certified copies of order passed in IA.NO.252/2024 are procured for preferring revision and obtaining stay before Hon'ble High Court, Madras against the order of this court.

2. The case of petitioner

2. The petitioner is the plaintiff and respondent is defendant in the suit. The main suit is filed by the petitioner against respondent for the relief of permanent

injunction. The respondent is contesting the case by engaging counsel on his side. In this circumstance, IA. No. 252/2024 was filed under order 1 rule 10 of CPC seeking to implead two proposed parties in the main suit. On 24.9.2025, in the said application one party was allowed to be impleaded and the impleadment of the other party was dismissed. While being so, the petitioner intends to file CRP before Hon'ble High Court, Madras against the order of this court for above said petition. Hence the certified copies of order passed in IA. No. 252/2024 are required to prefer revision and to obtain stay before Hon'ble Madras High Court. Therefore, it is necessary to stay the proceedings in the suit. Hence this petition.

3. The case of the respondent:

The respondent vehemently oppose the petition filed by the petitioner. The petition is unsustainable in law and is liable to be dismissed in limine. The petitioner does not have a strong case to prove his side in the main suit and therefore this petition is filed only to drag on the suit proceedings. The date on which the copy application were filed and the number of the copy application were not specified. The petition lacks explanation on this aspect as well. Therefore, the respondents pray for the dismissal of this petition with costs.

4. Now the point for consideration is whether the petitioner is entitled to get the reliefs as prayed for?

5. On the side of petitioner and respondent, no oral and documentary evidence was let in.

Points For Consideration:

6. Heard both sides Learned counsels. Material records perused. This is the petition filed under section 151 of CPC to stay all further proceedings in the suit for the period of six months until the certified copies of order passed in

IA.NO.252/2024 are procured for preferring revision and obtaining stay before Hon'ble High Court, Madras against the order of this court. This is the suit filed for the relief of permanent injunction. On perusal of records, it is seen that the petitioner has obtained the certified copy of order in the said petition in CA.2835 of 2025, the order was dated: 24.9.2025. Therefore, according to this court, the petitioner was already granted sufficient time to approach the Hon'ble High Court, Madras for filing Civil Revision Petition. Furthermore, the suit pertains to the year 2013. While being so, this court is of the view that there is no substantial loss shown by the petitioner and if this petition is allowed again it would cause further delay. Hence, for the afore-mentioned reason this court is of the view that there are no merits in this petition as such if the suit is not progressed then irreparable injury will be caused to both parties. Hence, this court is not inclined to allow this petition.

In the result, this petition is dismissed. No costs.

Dictated to the steno-typist, transcribed by her and typed in computer, corrected and pronounced by me in the open court this the 16th March 2026.

(Sd/-E.Swetha)
Additional District Munsif,
Chidambaram.

List of witnesses and documents on the side of the petitioners: NIL

List of witnesses and documents on the side of the respondents: NIL

(Sd/-E.Swetha)
Additional District Munsif,
Chidambaram.