



C.R.P.No.6007 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2025

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.6007 of 2025

and CMP.Nos.29722 and 28777 of 2025

1.Hindustan Petroleum Corporation Limited,
Registered office at,
No.17, Jamshedji Tata Road,
Mumbai – 400 020.

2.Hindustan Petroleum Corporation Limited,
Regional Office,
Represented by its Senior Regional Manager,
Coimbatore Retail Regional Office,
No.18/3, Big Bazaar Street,
Coimbatore – 641 001.

... Petitioners

vs.

1.M/s.Om Sakthi Constructions and
Builders, a registered Partnership firm
Represented by its Partner, Mr.N.Sekar.

2.N.Sekar

3.Pooviya Agencies,
Represented by its Sole Proprietrix,
Mrs.S.Manomani,
Karamadai, Mettupalayam.

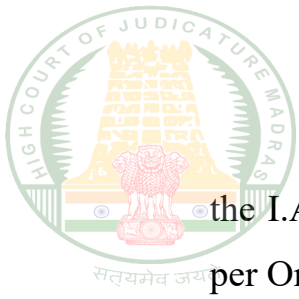
4.Dr.Sureshkumar

5.S.Nithya

6.K.Janadhanan

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to direct the District Munsif Court, Mettupalayam to decide



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the I.A.No.1 of 2025 in O.S.No.76 of 2025 within the period of 30 days as per Order 39 Rule 3A of Civil Procedure Code, 1908.

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For Petitioner : Mr.M.Vijayan

ORDER

The Civil Revision Petition is filed seeking a direction to the District Munsif Court, Mettupalayam to decide the I.A.No.1 of 2025 in O.S.No.76 of 2025 within the period of 30 days as per Order 39 Rule 3A of Civil Procedure Code.

2.It is the case of the petitioners that the respondents 1 and 2 filed a suit for permanent injunction restraining the petitioners and other defendants from interfering with their alleged right to run Petrol Bunk in the suit property. They also filed an application in I.A.No.1 of 2025 seeking ad-interim injunction. The ex-parte injunction was granted on 12.08.2025. After receipt of notice, the petitioners entered appearance and filed their counter on 26.08.2025. In spite of filing of counter opposing the interim order, the trial Court has not disposed of the application in I.A.No.1 of 2025. Aggrieved by the same, the petitioners have come before this Court.

3.Order 39 Rule 3A of Civil Procedure Code, reads as follows:

3A. Court to dispose of application for injunction within thirty days.—Where an injunction has been



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granted without giving notice to the opposite party, the Court shall make an endeavour to finally dispose of the application within thirty days from the date on which the injunction was granted; and where it is unable so to do, it shall record its reasons for such inability.

However, in the case on hand, even after elapse of more than three months, the injunction application has not been disposed by the trial Court.

4.In view of the same, the petitioners are directed to file vacate injunction petition before the trial Court within one week from the date of receipt of copy of this order. If any such vacate injunction is filed, the same shall be considered and finally disposed by the trial Court within three weeks from the date of numbering of the application, after giving opportunity to the contesting respondents 1 and 2.

5.Accordingly, this Civil Revision Petition is disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

26.11.2025

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
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S.SOUNTHAR, J.
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To

The District Munsif Court,
Mettupalayam.

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26.11.2025

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