

**C.M.P.No.13114 of 2016 in
A.S.No.322 of 2016
and M.P.Nos.1 & 1 of 2015 in
A.S.Nos.322 & 323 of 2015**

M.DURAIWAMY,J.

By order dated 06.04.2016, this Court granted an order of injunction restraining the respondents from altering the petition schedule property till the disposal of the Appeal Suits.

2.Now, the 1st respondent has filed the petition to vacate the order of injunction and in the affidavit filed in support of the petition, the 1st respondent has stated that taking advantage of the interim injunction granted by this Court, the appellant is preventing the 1st respondent from even carrying out the repairs in the suit property. Therefore, the 1st respondent is put to hardship and prejudice.

3.The learned counsel for the appellant fairly submitted that the appellant is not objecting the 1st respondent in carrying out the repairs in the suit property, however, he should not be allowed to put up fresh construction in the suit property.

4.In view of the submissions made by the learned counsel on either side, the order dated 06.04.2016 is modified to the effect that the 1st respondent is allowed to carry out repairs in the suit property. It is also made clear that the 1st respondent shall not put up any new construction in the suit property till the disposal of the Appeals. This arrangement will continue till the disposal of the Appeals.

5.With these observations, C.M.P.No.13114 of 2016 in A.S.No.322 of 2015 and M.P.Nos.1 & 1 of 2015 in A.S.Nos.322 & 323 of 2015 are disposed of.

va 29.08.2016

Note: Issue order copy on 30.08.2016.