

O.A.No.1076 of 2016 in
C.S.No.612 of 1999

M.SUNDAR.J.,

The first defendant in the suit is the applicant herein. Relief in this application is sought for against the fifth defendant in the suit who is the fifth respondent herein. This application has been taken out with a prayer restraining the fifth respondent herein, who is the fifth defendant in the main suit from putting up any construction or altering the physical features of the property being item 2 in the schedule 'B' of the plaint. The prayer in this application runs as follows:

"..... grant an Order of Interim Injunction restraining the respondent herein, her men, agents, servants, subordinates or any one claiming through her or authorised by her from, in any manner, putting up construction or altering the physical features of the property in item No.2 of Schedule 'B' Property to the Plaint in C.S.No.612 of 1999, morefully described in the Schedule appended to the Judge's summons, pending disposal of the above application..... "

2. Mr.C.Kathiresan, learned counsel appearing for the fifth respondent in this application, who is the 5th defendant in the main suit, seeks time for filing counter affidavit in this application. Besides this, pursuant to the earlier proceedings of this Court dated 10.11.2016, Mr.C.Kathiresan will have to file an affidavit with regard to the property being item No.1 in schedule 'B' of the plaint.

M.SUNDAR.J.,

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3. Mr.M.S.Subramaniam, learned counsel for plaintiff's in the main suit would state that he would also file a counter in this instant application and also a reply statement/replication in the main suit. The pleadings in all these aspects shall be completed within a fortnight from today.

4. Pending completion of pleadings as set out above, interim order as prayed for in the instant application i.e., O.A.No.1076 of 2016 is granted and the same shall operate until further orders from this Court.

28.11.2016

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