

C.M.P.No.5826 of 2016
and
M.P. NO. 1 OF 2015
IN
A.S.No.1119 OF 2015

R.SUBRAMANIAN,J.

The prayer in C.M.P.No.5826 of 2016 runs as follows:

“ To vacate the interim injunction granted in M.P.No.1 of 2015 in the above A.S.No.1119 of 2015 dated 14.03.2016 and dismiss the CMP.No.1 of 2015 ... ”

The prayer in M.P.No.1 of 2015 runs as follows:

“ ... injunction restraining the respondents his men agents, servants or any one claiming under him from in any way interfere with the peaceful possession and enjoyment of the property bearing New No.8 (M 139), Ist Floor, 7th Cross Street, Thiruvalluvar Nagar, Thiruvannamiyur Extension, Chennai 600 041 except by due process of law subject matter of O.S.No.11949 of 2010 on the file of the XVII Addl. CCC, Chennai pending disposal of the appeal ”

2. An order of injunction was granted on 14.03.2016. In the affidavit filed in support of the application for vacating the injunction, it is stated as follows:

" I have already instituted RCOP.No.193 of 2006 for evicting the respondent/appellant by due process of law and the same is pending in trial stage. Therefore the question of interfering with the peaceful possession of the respondent/appellant does not arise at all."

3. In view of the above submission, I do not see any reason to continue the order of injunction. However, the above submissions are recorded.

4. With the above observation, both the applications are closed.

18.10.2016

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R.SUBRAMANIAN,J.

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**C.M.P.No.5827 OF 2016
and
M.P.No.1 of 2015
in
A.S.No.1119 of 2015**

18.10.2016