

O.A.No. 1281 of 2010

IN

C.S.No. 991 of 2010

C.V.KARTHIKEYAN ,J.

The above suit is filed for specific performance of an agreement of sale, in which, the learned counsels for the plaintiff states that more than substantial portion of the sale consideration had been paid to the first defendant. Subsequently, however the third defendant acting as a partner of the first and second defendants entered into a further agreement of sale with the fourth defendant even before institution of the suit.

2. This application has been filed restraining the respondents/defendants from dealing with the property or alienating the property pending disposal of the suit.

3. Section 52 of the Transfer of Property Act already stipulates that pending suit, no party to the suit can either alienate or otherwise deal with the property except with leave of the Court. The same stipulation is reiterated and the respondents are put on notice that there could be no transfer or alienation of the property except with the leave of the Court, since such transfer or alienation will directly affect the interest of the petitioner/plaintiff in this suit.

4. With these observation, this Application is closed.

Vsg

07.10.2016

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