

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Sunday, the Twenty Third day of October Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE M.DURAI SWAMY

CMP No.15562 of 2017

IN AS.327/2014

1 KOYAPATHODI MUNEE RUDEEN [PETITIONER]

Vs

1 S. CHITTIBABU (DECEASED) [RESPONDENT]

1. S. HARIKRISHNAN,

S. MOHAN (DECEASED)

2 S.SEKAR

3 S. MANOHARAN

4 S. SELVAMANI

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order of Ad Interim Injunction restraining the defendants or their agents or subordinates from alienating the suit schedule property more fully set out hereunder (in CMP No.15562 of 2017) pending disposal of this AS.327/2014.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. P.V.SELVARAJAN for M/S.GOVIND CHANDRASEKHAR, Advocate for the petitioner and of Mr. V.BHEMEN for M/S. SAMPATHKUMAR ASSO. on behalf of the 5th Respondents the court made the following order:-

The petitioner-respondent has filed the above petition seeking for interim injunction restraining the respondents-appellants from alienating the suit schedule property till the disposal of the appeal.

2. The respondents-appellants have filed their counter wherein in Paragraph No.5, they have stated as follows.

" The petitioner-respondent has not filed the present application for seeking ad-interim injunction as against the respondents-appellants from alienating the suit schedule property during the pendency of the appeal. We are not attempting to sell, mortgage or in any way encumber the suit schedule property. We hereby undertake that we will not sell/mortgage or in any way encumber the suit schedule property during the pendency of the above appeal. The petitioner-respondent also shall not disturb our possession till the disposal of the appeal".

3. From the above, it is clear that the respondents-appellants have given an undertaking that they will not encumber the suit property till the disposal of the appeal.

4. Recording the undertaking given by the respondents-appellants in the counter affidavit dated 07.10.2016, the petition filed by the petitioner-respondent is closed.

-sd/-
23/10/2017
/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE REGISTRAR
CITY CIVIL COURT CHENNAI.

C.C. to M/S.GOVIND CHANDRASEKHAR Advocate on payment of necessary charges

The Government Advocate, High Court, Madras - 104.

Order

in
CMP.15562/2017

in
AS.327/2014

Date :23/10/2017

From 26.2.2001 the Registry is issuing certified copies of the Interim Orders in this format
VC (25/10/2017)