



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Twenty Fourth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM
and

The Hon`ble Mrs.Justice V.BHAVANI SUBBAROYAN

CMP (MD) No.1852 of 2017

IN

CMA (MD) No.192 of 2016

1 ZAIBU NISHA BEGAM

2 MOHAMED ISMAIL ASAN,

3 VASOOR NISHA HASEENA BEGAM

... PETITIONERS/APPELLANTS

Vs

MOHAMED ISMAIL KULSATH

... RESPONDENT/RESPONDENT

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 interim injunction restraining the respondents, their men, employees, servants, agents and assigns etc from alienating and encumbering the schedule property which is subject matter in OS.NO.5 of 2015 on the file of the Family Court, Tirunelveli during the pendency of the above said 1st appeal.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.T.SELVAN, Advocate for the petitioners and of MR.S.RAMASAMY, Advocate for the Respondent the court made the following order:-

(Order of the Court was made by **K.KALYANASUNDARAM, J**)

This petition is filed seeking for interim injunction restraining the respondents, their men, employees, servants, agents and assigns etc., from alienating and encumbering the schedule property, which is subject matter in O.S.No.5 of 2015 on the file of the Family Court, Tirunelveli during the pendency of the above first appeal.

2.The petitioners filed a suit claiming permanent injunction before the Family Court, Tirunelveli. The claims of the petitioners are rejected. Against that, the present appeal is filed.

3.We heard the learned counsel appearing for the petitioners and the learned counsel appearing for the respondents and perused the records.



4.It is seen that the Family Court has given a valid reason for rejecting the claims and unless they succeed, they are not entitled to get the interim injunction sought for in this petition.

5.In view of the above, there is no merits in this petition. Accordingly, this petition fails and the same is dismissed.

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sd/-
24/10/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE JUDGE, FAMILY COURT, TIRUNELVELI.

+1. C.C. to M/S.S.RAMASAMY, Advocate SR.No.33070

GJM/SM/RR/SAR-3-1.11.2017-2P-3C

ORDER
IN
CMP (MD) No.1852 of 2017
IN
CMA (MD) No.192 of 2016
Date :24/10/2017