



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

Wednesday, the Thirtieth day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.M.SUNDRESH
and

The Hon`ble Mr.Justice N.SATHISH KUMAR

CMP(MD) No.6601 of 2017

IN

AS(MD) No.115 of 2017

1 G.K. GOMATHI

2 C.K.R. BRINDHA

... PETITIONERS / APPELLANTS

Vs

M.R. RAJARAM(DIED)

1. M.R.KRISHNARAM

V.R. VASANTHA (DIED)

2 M.R. HAVISHMATHY

3 M.R. RAMESH

4 S.S. GEETHA

5 K.M. USHA

6 M.R. KANCHANA

7 G.R. GANDHAROBI

8 V.G.SUGUNA

9 V.B.KRISHNAKUMAR

10 V.B. RAMKUMAR

11 M.A.ASHOK KUMAR

12 P.S. ANITHA

13 V.R. MANOHARAN

14 M.R. MEERA

... RESPONDENTS/ RESPONDENTS

(Respondents 4 to 7/Defendants 4 to 7
impleaded as per order in IA No.140/14
dated 07.02.14.

Amended as per order in IA No.532/2014
dated 06.11.2014.

Respondents 8 to 16/ Defendants 8 to 16
impleaded as per order in IA No.1091/15
dated 18.01.2016.

Amended as per order in IA No.85/2016
dated 29.01.2016.)



to grant an order of interim injunction restraining the respondents herein from in any manner alienating the suit first item of property which is the subject matter of OS.No. 148 of 2009 on the file of VI Additional District Judge, Madurai, pending disposal of the above appeal suit on the file of this Honourable Court.

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. S.SRINIVASA RAGHAVAN, Advocate for the petitioner and of Mr.J.PRABAKARAN, Advocate for Caveator on behalf of the Respondents the court made the following order:-

[Order of the Court was made by **M.M.SUNDRESH, J.**]

The suit is filed for partition and for separate possession. The suit was dismissed and hence the present petition has been filed seeking an order of interim injunction against the proposed alienation.

2.It is settled law that any alienation, pending the proceedings, is hit by lis pendens.

3.Hence, this Petition stands disposed of, with an observation that any alienation or encumbrance made is subject to the final decision in the appeal suit.

sd/-
30/08/2017

/ TRUE COPY /

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

TO

ENCL : XEROX COPY OF SCHEDULE OF PROPERTY

THE VI ADDITIONAL DISTRICT JUDGE,
MADURAI

+1. C.C. to Mr. S.SRINIVASA RAGHAVAN Advocate SR.No. 29594

JAM/04.09.17/CM-MSA/SAR 2/ 2p-3c

ORDER
IN
CMP (MD) No.6601 of 2017
IN
AS (MD) No.115 of 2017
Date :30/08/2017