

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Monday, the Ninth day of April Two Thousand Eighteen

PRESENT

THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN

and

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CMP Nos.14567 & 14568 of 2017

IN OSA.212/2017

1 MISS.MONICCA SHANTHA NELSON [PETITIONERS IN BOTH THE PETITIONS]
D/O.MR.J.SAMUEL NELSON,
NO.8249, RANCH VIEW DR.A.P.T,
3088, IRVING, T.X.75063, U.S.A.
REP. BY POWER OF ATTORNEY
MR.J.SAMUEL NELSON,
S/O.LATE MR.JOHN KRIPADOSS,
NEW NO.39, OLD NO.20/1, II STREET,
TAYLOR'S ESTATE, KODAMBAKKAM,
CHENNAI 24.

2 MRS.S.SANTHA
W/O. MR.J.SAMUEL NELSON

3 MR.J.SAMUEL NELSON
S/O.LATE MR.JOHN KRIPADOSS,
2&3 ARE AT NEW NO.39,
OLD NO.20/1, II STREET,
TAYLOR'S ESTATE, KODAMBAKKAM,
CHENNAI-24

Vs

1 MRS.RAJALAKSHMI VENUGOPAL [RESPONDENTS IN BOTH THE PETITIONS]
W/O.V.VENUGOPAL

2 MR.V.SESHADHARI
S/O.MR.V.VENUGOPAL,
1&2 ARE AT PLOT NO.T6, III FLOOR,
SURIYA APARTMENTS, NEW NO.8, OLD NO.10,
CENTRAL AVENUE ROAD, KODAMBAKKAM, CHENNAI-24.
1&2 REPRESENTED BY THEIR POWER OF ATTORNEY AGENT,

S.VELLADURAI,
S/O.S.SUBRAMANIAM,
NO.27, I MAIN ROAD, UNITED INDIA COLONY,
KODAMBAKKAM, CHENNAI-24

3 MR.S.VELLADURAI
S/O.S.SUBRAMANIAM, NO.27, I MAIN ROAD,
UNITED INDIA COLONY, KODAMBAKKAM, CHENNAI-24.

4 NOAH CONSTRUCTIONS
A PROPRIETARY CONCERN, REP. BY ITS SOLE
PROPRIETOR, G.MANOHARAN JOSEPH, NO.7, 100
FEET ROAD, RAJESWARI NAGAR EXTENSION, SELAIYUR,
CHENNAI-73.

Petitions praying that in these circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to

(i) pass an order interim injunction restraining the respondents 1 to 3 from creating any encumbrance over the flat No 2, entire super build up area in the first floor measuring 1500 sq.ft. (inclusive of proportionate common area) together with one reversed covered car park on the ground floor of the building constructed in plaint A schedule property more fully described in the plaint C schedule and the 675 sq.ft of undivided share of and described in the plaint B schedule (in CMP.14567/2017) and

(ii) pass an order interim injunction restraining the 4th respondents from handing over possession of flat No 2, entire super build up area in the first floor measuring 1500 sq.ft. (inclusive of proportionate common area) together with one reversed covered car park property more fully described in the plaint C schedule to respondents 1 to 3 or their authorized persons (in CMP.14568/2017) pending OSA.212/2017.

SCHEDULE OF PROPERTY -A,B,C,D XEROX COPY ENCLOSED

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.R.N.AMARANATH, Advocate for the petitioner in both the petitions and of MR.MA.GOUTHAMAN, Advocate for the 1 to 3 respondents and of MR.C.JOHNSON, Advocate for the 4th respondent in both the petitions, the court made the following order:-

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

This Court while issuing notice on 01.09.2017 to the respondents in this appeal had taken on record the submission made by the learned counsel appearing for the respondents 1 to 3 that till the disposal of the captioned applications, no third party rights will be created

in respect of the suit property.

2 The learned counsel appearing for the respondents 1 to 3 would submit that till the disposal of the appeal, no 3rd party rights would be created in respect of the suit property. The said submission is recorded. In the light of the same, the Civil Miscellaneous petitions are closed.

-sd/-
09/04/2018

/ TRUE COPY /

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

TO

1 THE SUB ASSISTANT REGISTRAR
ORIGINAL SIDE, HIGH COURT, CHENNAI

C.C. to M/S R.N AMARANATH Advocate on payment of necessary charges

Order

in
CMP.14567 & 14568/2017

in
OSA.212/2017

Date :09/04/2018

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
JK 18/04/18