

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the Thirteenth day of June Two Thousand Eighteen

PRESENT

THE HON`BLE MR JUSTICE M.M.SUNDRESH

and

THE HON`BLE MR JUSTICE N.ANAND VENKATESH

CMP.Nos.18331 & 18332 of 2017

in OSA.No.296 of 2017

PROFESSIONAL MANAGEMENT [PETITIONER IN BOTH THE
OF CONSTRUCTIONS, REP BY ITS PETITIONS]
PROPRIETRIX.SEETA RAMARAJU, 10,
FIRST FLOOR, 829 ANNA SALAI, CHENNAI - 2.

Vs

1 ESTATE OF IRUSSAMMAL [RESPONDENTS IN BOTH THE
REP BY HER ADMINISTER P. ANBUCHEZHIAN, PETITIONS]
NO.50, 59TH STREET, 10TH SECTOR,
K.K. NAGAR, CHENNAI - 78.

2 ESTATE OF ALAMELU
REP BY HER ADMINISTER P. ANBUCHEZHIAN,
NO.50, 59TH STREET, 10TH SECTOR,
K.K. NAGAR, CHENNAI - 78.

3 MRS.KAMATCHI

4 C. MUNUSAMY

5 MRS.CHINNAMMAL

6 MRS.GOVINDAMMAL

7 C. RADHA

8 C. KRISHNAN
14 KARAKAIPUDUCHERRY ROAD, URAPPAKKAM,
CHEGALPET TK, KANCHEEPURAM DIST. REP BY
THEIR POWER AGENT P. ANBUCHEZHIAN.

9 P. ANBUCHEZHIAN

10 S. PERUMAL

11 R. DHANASEKARAN

12 C. SHANKAR

13 VIJAYA

14 CHITRA

15 VALLI

16 ANGAMMAL

[RESPONDENT 11 TO 16 IMPEADED AS PER ORDER DATED 17.03.2006 IN APPLN.NO.776/2000 DELAY IN AMENDMENT CARRIED OUT VIDE APPLN.NO.1996/06 DATED 12.06.2006 IN CS.NO.41/2003]

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

(i) Pass an order of interim injunction restraining the respondent 1 to 16 or their agents, servants, men or anyone claiming under or through them and/or authorised by them from encumbering, alienating or dealing with the suit schedule mentioned property, more fully described in the schedule appended to the judges summons, either by way of sale, mortgage, lease, joint development or in any other manner, (in CMP.No.18331/2017) and

(ii) Pass an order of interim injunction restraining the respondent 1 to 16 or their agents, servants, men or anyone claiming under or through them and/or authorised by them from putting up any constructions and/or altering the physical features of the suit schedule B & C mentioned properties, more fully described in the schedule appended to the judges summons, (in CMP.No.18332/2017) pending disposal of the above OSA.No.296/2017 respectively.

SCHEDULE OF PROPERTY XEROX COPY ATTACHED

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.THIAGARAJAN, Advocate for the petitioner in both the petitions and of M/S.T.RAVICHANDRAN, Advocate for the respondent in both the petitions the court made the following order:-

(Order of the Court was made by M.M.SUNDRESH, J.)

The plaintiff, aggrieved over the dismissal of the suit for specific performance, has preferred the present appeal. Pending the appeal, these two petitions have been filed, seeking interim injunction.

2. C.M.P.No.18331 of 2017 has been filed against the alleged alienation and C.M.P.No.18332 of 2017 has been filed against the proposed alteration of physical features.

3.Learned counsel appearing for the respondents would submit that there will not be any alienation or encumbrance till the disposal of the appeal.

4.Recording the aforesaid submission, C.M.P.No.18331 of 2017 stands ordered accordingly. Insofar as C.M.P.No.18332 of 2017 is concerned, any construction or alteration made is subject to the result of the appeal. C.M.P.No.18332 of 2017 is disposed of accordingly.

Post the main appeal for final hearing on 09.07.2018.

-sd/-

13/06/2018

/ TRUE COPY /

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

TO

1 THE SUB ASST. REGISTRAR,
ORIGINAL SIDE, HIGH COURT,
CHENNAI-104.

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

Order

in

CMP.Nos.18331 & 18332 of 2017

in OSA.No.296 of 2017

Date :13/06/2018

From 26.2.2001 the Registry is issuing certified copies of the Interim Orders in this format
KP(18/06/2018)