



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

Wednesday, the Twenty First day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

CMP(MD) No.249 of 2018
IN
AS(MD) No.2 of 2018

K.V.R.KANNAN

... PETITIONER/APPELLANT

Vs

TMT.SARADHA

... RESPONDENT/2nd 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 for temporary injunction restraining the respondent from alienating or encumbering the suit property in O.S.No.78/2010 on the file of the VI Additional District Court, Madurai pending disposal of the appeal and thus render justice.

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.M.R.MURUGESAN, Advocate for the petitioner and of V.RAMAKRISHNAN, Advocate on behalf of the Respondent the court made the following order:-

This petition is filed to pass an order for temporary injunction restraining the respondent from alienating or encumbering the suit property in O.S.No.78 of 2010 on the file of the VI Additional District Court, Madurai, pending disposal of the Appeal.

2. The petitioner is the appellant in the above Appeal and the Appeal has been preferred against the Judgment and Decree of the Suit in O.S.No.78 of 2010, dated 31.08.2017, passed by the learned VI Additional District Judge, Madurai, which was filed for specific performance of an agreement of sale alleged to have been executed by the respondent in favour of the petitioner/appellant.

3. Learned counsel for the respondent submitted that the respondent is prepared to give an undertaking that she will not alienate the property.

4. Learned counsel for the appellant also requested that the undertaking may be recorded and the petition may be disposed of on the basis of the said undertaking.



5. Hence, the petition is closed. However, the respondent is directed to file an affidavit of undertaking before this Court within a period of two weeks from the date of receipt of a copy of this order.

sd/-
21/02/2018

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/ TRUE COPY /

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

TO

THE VI ADDITIONAL DISTRICT JUDGE,
MADURAI.

+1. C.C. to M/S.BABU RAJENDRAN Advocate SR.No.2807

ORDER
IN
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Date :21/02/2018

MKV-CM-SAR 4/23.2.2018/2P-3C