



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

Thursday, the Nineteenth day of July Two Thousand Eighteen

PRESENT

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

CMP(MD) No.865 of 2018
IN
SA(MD) No.53 of 2018

(**) 1 CHIDAMBARAM PILLAI (DIED)
2 PERUMAL PILLAI,

... PETITIONERS/APPELLANTS

Vs

1 NANJILNADU VELLALA AZHAKIA
CHOIZHA NANGAI AMMAN TRUST,
REPRESENTED BY ITS TRUSTEES,
RESPONDENTS 2 TO 5

2 THAMBURAN THOZHA PILLAI,
3 A.SUNDAR,
4 K.VEERA BHAGU,
5 S.VELAYUTHAN PILLAI,
6 MADHAVAN PILLAI,

... RESPONDENTS/RESPONDENTS

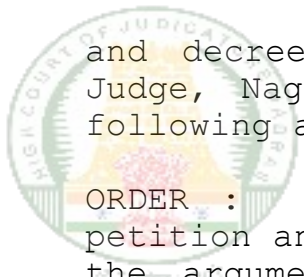
(*) (CAUSE TITLE ACCEPTED VIDE COURT ORDER DATED
11.01.2018 MADE IN CMP(MD)NO.1777/2016 IN SA(MD)
NO.SR49324/2015 BY SSSRJ)

(**) (MEMO FILED IN USR NO.790, DATED 10.02.2017
TO THE EFFECT THAT 1ST APPELLANT DIED AND
HIS LRS DO NOT WANT TO PROSECUTE CMP(MD)
NO.1777/2016 THE APPEAL IS RECORDED
VIDE COURT ORDER DATED 16.02.2018 MADE IN
SA(MD)NO.53/2018 BY SSSRJ)

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an order of injunction, restraining respondents 1 to 5 from alienating or otherwise encumbering any portion of the property, scheduled to the accompanying petition, which is the subject -matter of the suit in O.S.No.6 of 2007 on the learned II Additional Subordinate Judge of Nagercoil, pending disposal of the above second appeal. (Encl:Xerox copy of Schedule of Property.

Prayer in SA(MD). 53/ 2018 :

To prefer this memorandum of grounds of second appeal before this Honourable Court against the judgment and decree dated 30.06.2015 of the learned District Judge, Kanyakumari at Nagercoil and made in A.S.No.16 of 2007 on his file, reversing, the judgment



and decree dated 11.1.2007 of the learned Principal Subordinate Judge, Nagercoil, made in O.S.No.6 of 2007 on his file, for the following among other grounds.

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.K.N.THAMPI, Advocate for the petitioner and Respondents not appeared in person or by an Advocate the court made the following order:-

Despite service of notice on the respondents, there is no representation on behalf of the respondents. On 12.06.2018, this Court has granted an order of interim injunction for a period of three weeks.

2.Having regard to the reasons stated in the affidavit filed in support of this petition, the order of interim injunction is made absolute.

3.Post S.A.(MD) No.53 of 2018 after two weeks.

sd/-
19/07/2018

/ TRUE COPY /

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

TO

1 THE DISTRICT JUDGE, KANYAKUMARI AT NAGERCOIL

2 THE PRINCIPAL SUBORDINATE JUDGE, NAGERCOIL

GJM/JC/SAR-2-24.7.18-2P-3C

ORDER
IN
CMP(MD) No.865 of 2018
IN
SA(MD) No.53 of 2018
Date :19/07/2018