



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

Monday, the Thirtieth day of July Two Thousand Eighteen
PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CMP(MD) No.6372 of 2018

IN

SA(MD) No.237 of 2018

WEB COPY

K.ANANDHAN

... PETITIONER/ APPELLANT

Vs

S.SURESH

... RESPONDENT/ RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant an order of Injunction restraining the respondent in any way alienating or encumbering the suit schedule property which is the subject matter of the suit in O.S.No.241 of 2011 on the file of District Munsif Court, Palani, pending disposal of the above Second Appeal and pass such further or other orders, as this Honourable Court may deems fit and proper in the circumstances of the case and thus render justice.

Prayer in SA(MD) . 237/ 2018 :

To prefer this Memorandum of Grounds of Second Appeal against the judgment and decree dated 23.11.2017 passed in A.S.No.5 of 2014 on the file of Sub Court, Palani allowing the judgment and decree dated 22.11.2013 passed in O.S.No.241 of 2011 on the file of District Munsif Court, Palani, for the following among other.

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.D.VENKATESH, Advocate for the petitioner, While admitting the SA, the court made the following order:-

The petitioner herein has filed this Civil Miscellaneous Petition for restraining the respondent from alienating the property in question. If during the pendency of the proceedings, any



alienation is made, the transaction is clearly bound by the outcome of the proceedings.

2. Therefore, there is no need to grant interim order as sought for. Rights of the parties are adequately protected by the doctrine of lis pendens. Hence, this miscellaneous petition stands closed.

sd/-
30/07/2018

/ TRUE COPY /

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

TO

1. THE SUBORDINATE JUDGE,
PALANI.

2. THE DISTRICT MUNSIF,
PALANI.

ORDER
IN
CMP (MD) No.6372 of 2018
IN
SA (MD) No.237 of 2018
Date : 30/07/2018

MS/PN/SAR-2/20.08.2018/2P.3C