



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

Thursday, the Nineteenth day of April Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.RAVICHANDRABAABU
and
The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMP(MD) No.3289 of 2018

IN

AS(MD) No.57 of 2018

1 RAMU @ RAMALINGAM
2 LAKSHMI PALANI KUMAR

... PETITIONERS/APPELLANTS

Vs

M.UMA,

...RESPONDENT/RESPONDENT

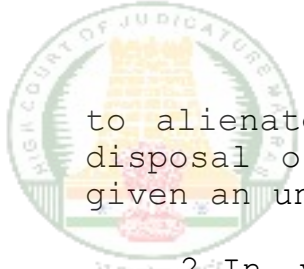
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant an order of injunction restraining the Respondent from encumbering Item No.2 of the Suit Property till the disposal of the Appeal and thus render justice.

Prayer in AS(MD). 57/ 2018 :

Pleased to set aside the Judgment and Decree dated 24.9.2014 in OS 122 of 2007 on the file of III Additional District Judge (PCR) Madurai and decree in respect of Item No.2 of the suit property the suit with costs throughout 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. S.MANO HAR, Advocate for the petitioner and of MR.V.RAMAKRISHNAN, Advocate for the respondent the court made the following order:-

The appellants are the plaintiffs in a suit for partition. The trial Court partly decreed the suit only against the first item of the suit property by passing a preliminary decree. As against item Nos.2 and 3 of the suit property, the suit is dismissed. Challenging the dismissal of the suit insofar as item Nos.2 and 3 are concerned, the present appeal is filed by the plaintiffs. Pending disposal of the present appeal, the appellant seeks for interim injunction restraining the respondent from encumbering item No.2 of the suit property, till the disposal of the appeal. After notice, the respondent filed an affidavit before this Court dated 13.04.2018 wherein it is stated that the respondent is not having any intention



to alienate or encumber item No.2 of the suit property, till the disposal of the appeal. To that effect, the respondent has also given an undertaking. The said undertaking is recorded.

2. In view of the undertaking given by the respondent, the interim injunction application is closed.

sd/-
19/04/2018

/ TRUE COPY /

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

TO

THE III ADDITIONAL DISTRICT JUDGE (PCR), MADURAI

+1. C.C. to M/S. S.MANOHAR Advocate SR.No.6643

ORDER
IN
CMP (MD) No.3289 of 2018
IN
AS (MD) No.57 of 2018
Date :19/04/2018

SMA/RR/RNB/26.04.2018:2P/3c