



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

Wednesday, the Twenty Fourth day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mrs Justice PUSHPA SATHYANARAYANA
and
The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMP(MD) No.7718 of 2018
IN
AS(MD) No.145 of 2018

V.SAHAYA ANTONY

... PETITIONER/APPELLANT

Vs

1.VASUKI

2 VIMI ALLOY

... RESPONDENTS/RESPONDENTS

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 Ad-Interim Injunction restraining the respondents and their men or agents from in any manner demolishing the house in the suit property in O.S.No.3 of 2012 on the file of District Judge, Kanyakumari at Nagercoil and restraining them from encumbering or alienating the suit property in O.S.No.3 of 2012 on the file of District Judge, Kanyakumari at Nagercoil pending disposal of the above First 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 MR.M.MOHAMED IBRAM SAIBU for M/S.AJMAL ASSOCIATES, Advocate for the petitioner and Mr.V.SASIKUMAR for Caveator for the first respondent, the court made the following order:-

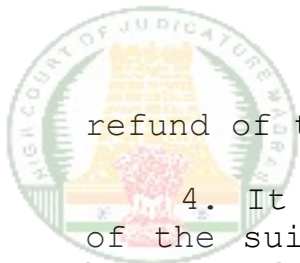
(Order of the Court was made by PUSHPA SATHYANARAYANA,J.)

The petitioner/plaintiff filed a suit in O.S.No.3 of 2012 on the file of the District Court, Kanyakumari Division at Nagercoil, for the reliefs of specific performance of contract and permanent injunction.

2. Heard Mr.M.Mohamed Ibram Saibu for M/s.Ajmal Associates, learned counsel appearing for the petitioner and Mr.V.Sasikumar, learned counsel, who entered as caveator, for the first respondent.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The said suit is decreed only for the alternative relief of



refund of the amount.

4. It is stated that the petitioner/plaintiff is in possession of the suit property. The reason for the dismissal of the suit is because the suit property is situate in the Coastal Regulatory Zone inspite of the fact that the sale agreement-Ex.A.1 is found to be proved.

5. The learned counsel appearing for the petitioner/plaintiff has produced a copy of the order passed in I.A.No.7 of 2012 by the District Court, Kanyakumari at Nagercoil, wherein, pending suit injunction was sought for and status-quo order was passed and it is stated that the said order was in force till the disposal of the suit.

6. In the light of the above, there shall be an order of status-quo till the disposal of the appeal suit and this petition is closed.

sd/-
24/10/2018

/ TRUE COPY /

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

TO

THE DISTRICT JUDGE,
KANYAKUMARI AT NAGERCOIL.

+1. C.C. to M/S.AJMAL ASSOCIATES Advocate SR.No.20391
+1. C.C. to Mr.V.SASIKUMAR, Advocate SR.No.20214

ORDER
IN
CMP(MD) No.7718 of 2018
IN
AS(MD) No.145 of 2018
Date :24/10/2018

ps
AE/MMS/SAR1/30.10.2018/2P/4C