

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Friday, the Eleventh day of January Two Thousand Nineteen

PRESENT

THE HON`BLE MS.JUSTICE P.T.ASHA

CMP No.843 of 2019

in SA No.44 of 2019

M.SELVARAJU

[PETITIONER]

Vs

E.RAMASAMY GOUNDER (DIED)

[RESPONDENTS]

1.V.MANOCHARAN,

2 R.AMMANI @ PERUMAYEE

3 RAMAKRISHNAN

4 T.CHITRA

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 Interim Injunction restraining the respondents 2 to 4 their men, agents or anyone claiming under them from encumber alienate or in any manner deal with the suit property by way of getting compensation relating to the subject matter of suit property concerned in OS No.583/1997 on the file of the learned Principal Subordinates Judge Court, Salem pending SA No.44 of 2019.

XEROX COPY OF SCHEDULE OF PROPERTY IS ATTACHED

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.S.V.JAYARAMAN SENIOR COUNSEL for M/S.J.RAMAKRISHNAN, Advocate for the petitioner the court made the following order:-

This Civil Miscellaneous Petition is filed seeking an order of interim injunction restraining the respondents 2 to 4 their men, agents or anyone claiming under them from encumbering alienating or in any manner dealing with the suit property or by way of getting compensation relating to the subject matter of suit property concerned in O.S.No.583/1997 on the file of the learned

principal subordinates Judge court, Salem.

2. Considering the fact that any sale pending appeal would be hit by the principles of lis pendens and also the affidavit filed in support of the petition does not contain any sufficient reason, there is no necessity to grant any order of injunction as prayed for. Hence, this Civil Miscellaneous Petition is dismissed.

-sd/-

11/01/2019

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE PRINCIPAL DISTRICT JUDGE
SALEM.

2 THE PRINCIPAL SUBORDINATE
JUDGE, SALEM.

C.C. to M/S.J.RAMAKRISHNAN Advocate SR.NO. 612

Order

in

CMP.843/2019

in SA.44/2019

Date :11/01/2019

WEB COPY

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
VS 11.01.2019 (I.T)