

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the Third day of April Two Thousand Nineteen

PRESENT

THE HON`BLE MR JUSTICE M.M.SUNDRESH

AND

THE HON`BLE MR.JUSTICE C.SARAVANAN

CMP.Nos.14070 & 20345 of 2018

in AS.No.550 of 2018

1 RAJENDRAN [1 TO 4 PETITIONERS IN CMP.14070/18
& 1 TO 4 RESPONDENTS IN CMP.20345/18]
2 SOUNDARA PANDIAN
3 ASOKAN
4 DUSHIANDAN

Vs

R.V.SARAVANAN [RESPONDENT IN CMP.14070/18 &
PETITIONER IN CMP.20345/18]

Petitions praying that in the circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to

(i)Grant an order of Interim Injunction restraining the respondents from alienating or disposing of the suit property forming the subject matter of the suit in OS.No.55/2012 on the file of the Learned Additional District Judge, Karaikal (CMP.14070/2018)and

(ii)pass an order vacating the interim injunction order dated 23.08.2018 made in CMP.No.14070 of 2018 in A.S.No.550 of 2018 (in CMP.No.20345/2018) pending disposal of the above AS.550/2018 respectively.

SCHEDULE OF PROPERTY XEROX COPY 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 M/S.T.S.BASKARAN, Advocate for the 1 TO 4 PETITIONERS IN CMP.14070/18 & 1 TO 4 RESPONDENTS IN CMP.20345/18 and of M/S.R.NATARAJAN, Advocate for the RESPONDENT IN CMP.14070/18 & PETITIONER IN CMP.20345/18 the court made the following order:-

(Order of the Court was made by **M.M.SUNDRESH, J.**)

The unsuccessful plaintiffs are the appellants before us. Pending appeal, they have filed a petition in C.M.P.No.14070 of 2018 seeking interim injunction. At the initial stage, an order of injunction was granted by taking note of the earlier order passed, pending suit. Seeking to vacate the same, C.M.P.No.20345 of 2018 has been filed by the respondent.

2.Learned counsel appearing for the petitioners in C.M.P.No.14070 of 2018 submits that inasmuch as there has been an interim order pending suit, the same will have to be continued. He further submits that the petitioners/appellants have got strong grounds in the appeal.

3.Learned counsel appearing for the petitioner in C.M.P.No.20435 of 2018 submits that the petitioners in C.M.P.No.14070 of 2018 do not even have *locus standi* to maintain the appeal. There are also other properties, which the petitioners are not concerned with.

4.To a query, learned counsel submits that the petitioner in C.M.P.No.20345 of 2018 will not alienate the property in his possession. The aforesaid submission stands recorded. Accordingly, these petitions stand closed. If the other extent of properties is in the hands of the third parties, this order will not prevent them from dealing with the same in the manner known to law.

Post the appeal for final hearing on 10.06.2019.

-sd/-

03/04/2019

/ TRUE COPY /

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

TO

1 THE DISTRICT JUDGE,
KARAIKAL

C.C. to M/S.T.S.BASKARAN Advocate

C.C. to M/S.R.NATARAJAN, Advocate

Order
in
CMP.14070 & 20345/2018
in
AS.550/2018
Date :03/04/2019

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format

RRI 30/08/2018

KE(10/04/2019)