

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Tuesday, the Seventeenth day of March Two Thousand Twenty

PRESENT

THE HON`BLE MR JUSTICE K. KALYANASUNDARAM

CMP NO.813 OF 2020

IN AS NO.91 OF 2020

1 SHANMUGAM

[PETITIONERS]

2 PRABHU

Vs

1 R.KALAISELVI

[RESPONDENTS]

2 R.NAVEENKUMAR

3 R.GOPALAKRISHNAN

4 C.JAYARATHINAM

5 MARYAMMAL (DIED)

6 CHENNIMALAI

7 SIVANMALAI

RR 6&7 brought an record as LRS of the deceased R5 VIDE ORDER OF COURT DT.6/12/19 MADE AN CMP NO.24829/19 IN AS SR.NO.132/15[SMSJ]

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 1 to 4 their men and agents from in anyway alienating or creating any encumbrance over the petition mentioned properties which are the subject matter properties in OS NO.217 of 2012 on the file of the Principal District Court, Erode (CMP.813/2020)pending disposal of this Appeal Suit AS.91/2020.

SCHEDULE OF PROPERTIES 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 MR.N.MANOKARAN, Advocate for the petitioner and MR.M.GURUPRASAD,ADVOCATE FOR RESPONDENT 1 TO 3, MR.S.RAJMAKESH,ADVOCATE FOR RESPONDENT 4, and of 6 and 7 RESPONDENTS not appearing either in person or by an advocate the court made the following order:-

This injunction petition has been filed in a suit instituted for partition.

2. The learned counsel for the respondents would argue that the petitioners already filed a suit for bare injunction in O.S.No.545 of 2009 and the same was dismissed and the appeal preferred therefrom was also dismissed.

3. It is further stated that the present suit was dismissed on the ground that the property was already settled in the name of the respondents 3 and 4. It is further contended that during the pendency of the suit, no interim injunction was granted and this appeal has been numbered after a lapse of 8 years.

4. In the light of the above facts, I find no merit in this petition. In fine, the petition stands dismissed.

-sd/-

17/03/2020

/ TRUE COPY /

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

TO

THE PRINCIPAL DISTRICT JUDGE
ERODE

C.C. to MR.N.MANOKARAN Advocate S.R.NO.3788.

C.C. to MR.M.GURUPRASAD Advocate S.R.NO.3785.

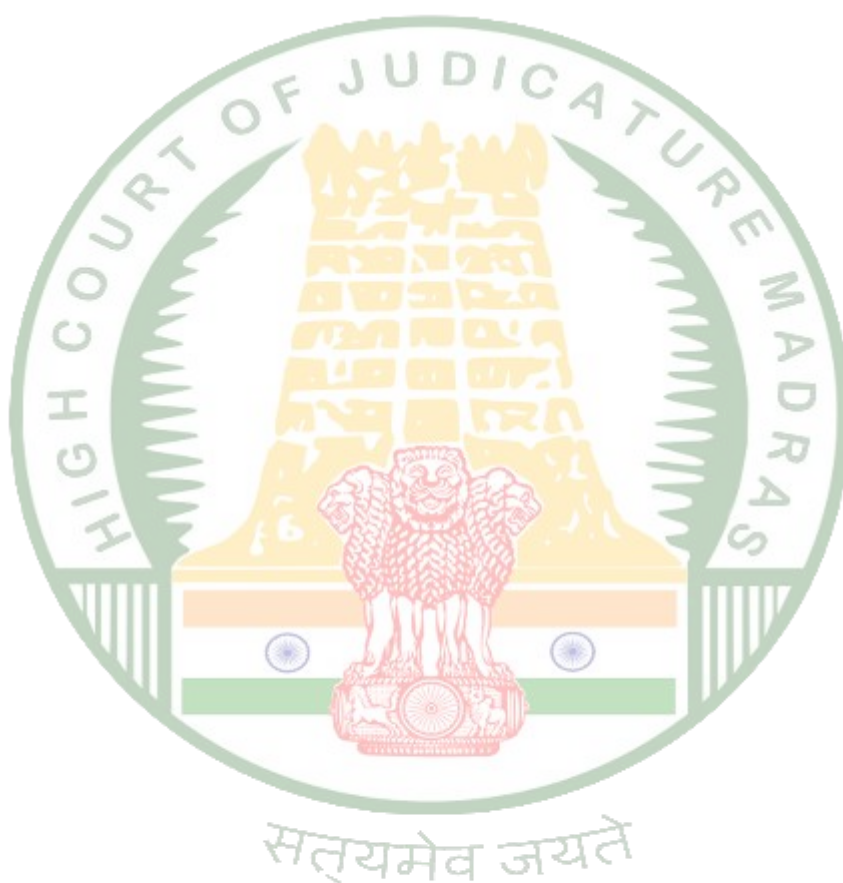
Order

in
CMP.813/2020

IN AS.91/2020

Date :17/03/2020

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
MJ 30/05/2020



WEB COPY