

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Twelfth day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice R. SUBRAMANIAN

CMP No.19689 of 2016

IN SA.969/2016

1 SASHIKALA [PETITIONERS]

2 ANITHA

3 SUNITHA

Vs

T. ANJINA REDDY [RESPONDENT]

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, his men, agents, servants or anybody claiming through him in any manner altering the physical features of the suit schedule property which is the subject matter of O.S.No.194/2007 on the file of District Munsif Cum Judicial Magistrate Court, Denkanikottai, (CMP.No.19869 of 2016) pending disposal of the Second Appeal No.969 of 2016.

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.R.BHARATH KUMAR, Advocate for the petitioner, the court made the following order:-

This petition has been filed seeking an order of interim injunction restraining the respondents, his men, agents, servants from altering physical features of the suit property subject matter of O.S.No. 194 of 2007 pending disposal of the second appeal.

2. The appeal arises out of a suit for declaration that the partition deed dated 30.10.1998 is null and void and not binding on the plaintiffs. The suit was decreed by the Trial Court and on appeal, the said judgment was reversed hence, the plaintiffs have come up with this second appeal.

3. A look at of the schedule of properties to the suit would show that all the properties are agricultural lands / vacant sites therefore, there is no question of the respondents altering the physical features of the property. I also do not see that there was any order of injunction pending suit or appeal. Hence, I do not see *prima facie* case to grant an order of injunction as prayed for. In fine, this petition is dismissed.

-sd/-

12/03/2020

/ TRUE COPY /

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

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
DENKAKOTTAI

2 THE SUBORDINATE JUDGE,
HOSUR

C.C. to M/S.R.BHARATH KUMAR Advocate on payment of necessary charges

Order

in
CMP.19689/2016

Date :12/03/2020

सत्यमेव जयते

From 26.2.2001 the Registry is issuing certified
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RR (RS) 18/03/2020

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