

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Ninth day of January Two Thousand Twenty

PRESENT

THE HON`BLE MR JUSTICE S.M.SUBRAMANIAM

CMP No.17944 of 2019

in AS.No.578 of 2019

1 P.SUKANYA [PETITIONERS]

2 P.PRAKASH

Vs

1 P.SARADHAMBAL [RESPONDENTS]

2 P.SENTHIL KUMAR

3 P.KARTHIKEYAN

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 or any one on their behalf from alienating or encumbering or creating any document over the petitioners 1/4th shares in the schedule mentioned properties in OS NO.227/2017 on the file of II Additional District Sessions Court, Tiruppur District (in CMP.NO.17944/2019) pending disposal of the above AS.NO.578/2019.

DESCRIPTION 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 M/S M.GURUPRASAD, Advocate for the petitioner and of M/S.N.MANOKARAN, Advocate on behalf of the Respondents the court made the following order:-

The miscellaneous petition is filed to grant an order of interim injunction restraining the respondents 1 to 4 or any one on their behalf from alienating or encumbering or creating any document over the petitioners 1/4th shares in the schedule mentioned properties in O.S.No.227/2017 on the file of II Additional District Sessions Court, Tiruppur District pending disposal of the appeal suit.

2. The appeal suit is filed against the judgment and decree passed rejecting the plaint. In other words, the plaint itself was rejected by the Trial Court against which the first appeal is filed. Under these circumstances, this Court is not inclined to grant an order of interim injunction as prayed for. Therefore, the civil miscellaneous petition stands dismissed.

-sd/-

09/01/2020

/ TRUE COPY /

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

TO

1 THE II ADDITIONAL DISTRICT AND
SESSIONS JUDGE, TIRUPPUR.

C.C. to M/S M.GURUPRASAD Advocate Sr.No.463

C.C. to M/S.N.MANOKARAN, Advocate on payment of necessary
charges

Order

in

CMP No.17944 of 2019

in AS.No.578 of 2019

Date :09/01/2020

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