

C.M.P.No.13418 of 2021
in A.S.No.268 of 2021

P.T.ASHA.J.,

The above application has been filed to grant an order of injunction restraining the respondents from creating any encumbrance over our share of 33.5 cents in the suit property viz., agricultural land measuring an extent of 85 cents comprised in Survey No.255/5 of Polupalli village, Krishnagiri Taluk and District which is the subject matter of the suit in O.S.No.132 of 2018 pending on the file of the learned Additional District Judge, Krishnagiri. The suit in question is one for partition and the plaintiffs whose suit has been dismissed is in appeal before this Court. The plaintiffs /appellants had not been enjoying any interim orders pending the suit and that be the case they have not made out any case for the grant of interim order. It is needless to state that issue of alienation will be subject to lis pendens.

2. With these observations, the above application is dismissed.

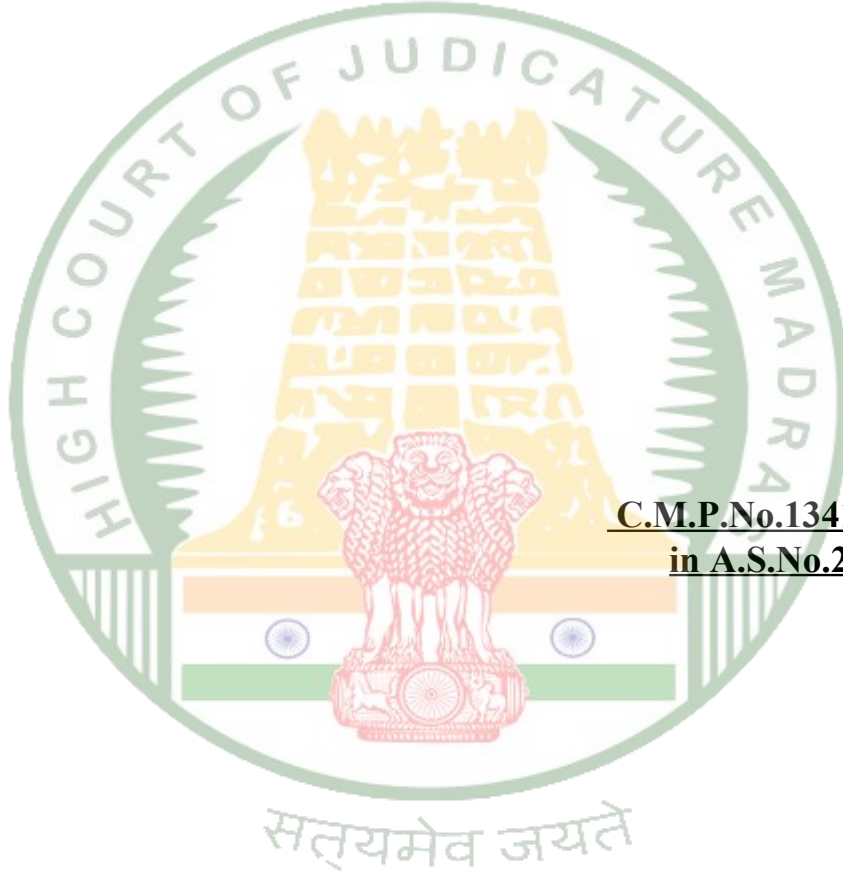
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