

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Tuesday, the Thirtieth day of November Two Thousand Twenty One

PRESENT

THE HON`BLE MR JUSTICE S.S.SUNDAR

CMP No.16701 of 2021

in AS.No.370/2021

S.NEHRU

[PETITIONER]

Vs

1 M.SUNDARAM

[RESPONDENTS]

2 PAPPATHI

3 CHITRA

4 MINOR SOUNDARYA

D/O.LATE MURUGESAN BY NEXT FRIEND/MOTHER CHITRA

5 MUTHUSAMY

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 3 and 4 or their men and agents from in any way alienating or creating any encumbrance over the schedule mentioned property which is the B schedule in O.S.No. 43 of 2014 on the file of the Ld.Principal District Court, Namakkal (in CMP.No.16701/2021) pending disposal of the above AS.No.370/2021.

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 M/S.N.MANOKARAN, Advocate for the petitioner and of Respondents not appearing either in person or by an advocate the court made the following order:-

The appellant is the plaintiff in the suit in OS.No.43/2014 on the file of the Court of Principal District Judge, Namakkal, as against the judgment and decree disallowing the relief of partition in respect of 'B' Schedule Property.

2.This application is not necessary as the petitioner's interest is protected by Section 52 of the Transfer of Property Act. No serious prejudice is likely to be caused to the petitioner.

3.Hence, the present Civil Miscellaneous Petition stands **dismissed**.

-sd/-
30/11/2021
/ TRUE COPY /

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

TO

1 THE LD. PRINCIPAL DISTRICT
JUDGE, NAMAKKAL

C.C. to M/S.N.MANOKARAN Advocate SR.No.7002

Order

in
CMP.16701/2021

in AS.No.370/2021

Date :30/11/2021

From 26.2.2001 the Registry is issuing certified
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