



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Friday, the Twenty Third day of July Two Thousand Twenty One

PRESENT

THE HON`BLE MR JUSTICE M.SUNDAR

CMP.NO.16023 OF 2019

IN SA.NO.798 OF 2019

R.VIJAYA

[PETITIONER]

Vs

A.VIJAYAL

[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 respondent her men agents assigns or any other person claiming under them from interfering with the petitioners, peaceful possession and enjoyment of the suit schedule property which is the subject matter in OS No 425/2012 on the file of I Additional District Munsif puducherry (CMP.NO.16023/2019) pending disposal of the above SA.NO.798/2019.

XEROX COPY OF THE SCHEDULE OF PROPERTY IS 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.P.DINESH KUMAR, Advocate for the petitioner and of MR.S.SUDARSHAN, Advocate on behalf of the Respondent, the court made the following order:-

Captioned CMP has been taken out by appellant in the main Second Appeal with a prayer for interim injunction against the respondent qua possession and enjoyment of the suit schedule property.

2. Suit is one for declaration that a registered sale deed dated 16.10.1995 is null and void and for an injunction qua suit property as against the defendant. Plaintiff was non suited by trial Court and this was confirmed by First Appellate Court. Therefore, there is no decree in favour of plaintiff as of today. Likewise, there is also no finding in the Courts below that plaintiff is in possession of suit property. However, this is noticed for the limited purpose of disposing of captioned CMP and this will neither impede nor be a impetus in the captioned main Second Appeal when it is taken up.



WEB COPY

3. In the light of the aforesaid narrative, captioned CMP is dismissed. There shall be no order as to costs.

-sd/-

23/07/2021

/ TRUE COPY /

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

TO

1 THE 1ST ADDITIONAL DISTRICT MUNSIF,
PUDUCHERRY.

2 THE ADDITIONAL SUBORDINATE JUDGE,
PUDUCHERRY.

Order

in

CMP.NO.16023/2019

IN SA.NO.798/2019

Date :23/07/2021

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
PM (30/07/2021)