



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Third day of August Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CMP(MD) No.4411 of 2021
in
AS(MD) No.132 of 2021

1 CHELLATHA

2 SIVATHAL

... PETITIONERS/APPELLANTS

Vs

1 RAMASAMY GOUNDER

2 SASIKALA

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant an order of interim injunction restraining the respondents from alienating the suit properties being the subject matter of OS No.56 of 2012 on the file of the Additional District Court (Fast Track Court), Palani, pending disposal of the above appeal.

Prayer in AS(MD). 132/ 2021 :

Pleased to set aside the judgment and decree passed in OS No.56 of 2012 on the file of Additional District Court (Fast Track Court), Palani dated 07.11.2019.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.D.VENKATESH, Advocate for the petitioners and of, the Court made the following order:-

The Plaintiffs in a partition suit are the appellants in this Appeal. The partition suit came to be dismissed. The apprehension of the appellants is that during the pendency of the appeal, respondents may alienate the suit properties. I make it clear that any transaction, which respondents may enter into in respect of the suit properties will necessarily abide by the outcome of this appeal. The respondents are directed to inform the



prospective alienation about the pendency of the appeal as well as passing of this order in this Civil Miscellaneous Petition.

2. With these directions, this Civil Miscellaneous petition is disposed of.

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/ TRUE COPY /

sd/-
03/08/2021

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE ADDITIONAL DISTRICT JUDGE,
FAST TRACK COURT, PALANI.

ORDER
IN
CMP(MD) No.4411 of 2021
in
AS(MD) No.132 of 2021
Date :03/08/2021

SS/VR/SAR-II/09.08.2021 : 2P/2C