



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Tuesday, the Thirty First day of August Two Thousand and Twenty One

WEB COPY

PRESENT

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

C.M.P.(MD)No.5439 of 2021

in

A.S.(MD)No.163 of 2021

T.M.S.MOHAN

... PETITIONER/ APPELLANT

Vs

1 S.RAJESWARI

2 T.M.S.RAMESH

... RESPONDENTS/ RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order of INTERIM INJUNCTION restraining the respondents herein from alienating or encumbering the suit schedule Item No. 1 and 4 as mentioned below the disposal of this appeal.

PRAYER IN A.S.(MD)No.163 of 2021:

To set aside the Judgement and Decree of the Learned 1st Additional District Judge, Madurai in O.S.No.18/2012 on 01/03/2021 and Decree the suit with costs by allowing this appeal by with cost throughout.

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.R.RAGAVENDRAN, Advocate for the petitioner and not appeared either in person or by an Advocate for the 1st respondent, the court made the following order:-

The petitioner is the appellant. The suit was for the relief of declaration and permanent injunction. The suit was dismissed. During the pendency of this appeal, the petitioner wants this Court to restrain the respondents from alienating or encumbering the suit items 1 and 4.

2.I make it clear that any alienation or encumbrance, that may be created during the pendency of this appeal, will abide by the outcome of this appeal. While making such alienation or encumbrance, the order now passed will be intimated to the prospective alienee.

<https://hccs.judges.gov.in/cases/1> is directed to communicate a copy of this order to



the respondents. With these directions, this petition is disposed of.

sd/-
31/08/2021

/ TRUE COPY /

WEB COPY

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE I ADDITIONAL DISTRICT JUDGE, MADURAI.

+1 CC to MR.R.RAGAVENDRAN, Advocate (SR-5821[I] dated 01/09/2021)

Enclosure: Schedule of property Xerox copies

ORDER
IN
C.M.P. (MD)No.5439 of 2021
in
A.S. (MD)No.163 of 2021
Date :31/08/2021

CMR
MK/VR/SAR.III/13.09.2021/2P/3C