



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

Friday, the First day of October Two Thousand and Twenty One

WEB COPY

PRESENT

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

C.M.P. (MD) No.5864 of 2021

IN

A.S. (MD) No.177 of 2021

CHELLADURAI

REP BY HIS POWER AGENT RAMACHANDRAN

... PETITIONER/APELLANT

Vs

1 PARAMASIVAM
2 CHINNASAMY
3 THILAGA @ THILAGAVATHY
4 SUBRAMANIAN
5 DEVARAJ
6 RAJENDRAN
7 SELVAMUTHURAJA
8 CHANDRAN
9 POOMA
10 POONGAVANAM
11 SARASWATHY
12 INTHRANI
13 KALADEVI

... 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 ad-interim injunction and till the disposal of the first appeal restraining the respondents 1 to 4 from in any way alienating or encumbering the suit property in OS No.155 of 2018 on the file of Principal District Court, Trichy.

Prayer in AS (MD). 177 of 2021 :

Pleased to reverse and set aside the judgment and decree in OS No.155 of 2018, on the file of Principal District Judge, Tiruchirappalli dated 19.12.2019.

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.S.RAMESH Advocate for MR.V.RAGHAVACHARI, Advocate for the petitioner and of M/S.E.KASTHURI, Advocate on behalf of the 2nd Respondent, the court made the following order:-



This appeal arises out of a suit for partition. The suit was dismissed. The plaintiff is the appellant. The plaintiff apprehends that during the pendency of this appeal, the suit property may be alienated and the interest of the third parties may be interfered.

WEB COPY

2. I make it clear that any alienation or encumbrance made in respect of the suit properties during the pendency of the appeal will necessarily abide by the outcome of the appeal. The respondent/prospective alienee is directed to make a mention about this direction in any transaction in which he or she may enter into. Since some of the respondents have not been served, the petitioner is directed to send a copy of this order to all of them.

3. This civil miscellaneous petition is disposed of accordingly.

Sd/-
01/10/2021

/ TRUE COPY /

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

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

ENCL: XEROX COPY OF SCHEDULE OF PROPERTY

TO

THE PRINCIPAL DISTRICT JUDGE, TIRUCHIRAPPALLI.

+2CC to M/s.V.RAGHAVACHARI, Advocate (SR-6889[I] dated 05/10/2021)

ORDER
IN
C.M.P. (MD) No.5864 of 2021
IN
A.S. (MD) No.177 of 2021
Date :01/10/2021

VB/JM/SAR-II/06.10.2021/2P/4C