



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

Wednesday, the Sixth day of October Two Thousand and Twenty One

PRESENT

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

CMP (MD) No.7731 of 2021
in
S.A. (MD) No.240 of 2014

DHANDAYUTHAPANI
REP BY HIS POWER AGENT
RAJENDRAN

... PETITIONER/ APPELLANT

Vs

1 SELVARANI
2 VETRISELVI
3 GOVINDARAJAN ALIAS GOVINDARAJ
4 GURUSAMY
5 ARUMUGAM

... RESPONDENTS/ RESPONDENTS

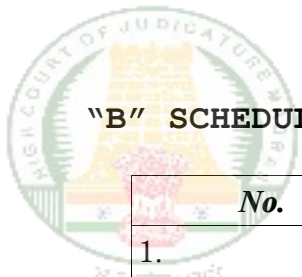
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant an order of ad interim injunction restraining the respondents herein, their men and agents from in any manner alienating or encumbering the suit properties, which is the subject matter in OS No.75 of 2004 on the file of the District Munsif, Thiruvaiyaru pending disposal of the above appeal.

SCHEDULE OF PROPERTY

"A" SCHEDULE

In Tanjore District, Thiruvaiyaru Taluk, Allur Village, the land bearing

<i>No.</i>	<i>SF</i>	<i>Extent</i>	<i>Kist</i>
1.	308/1	0.26	5.52
2.	303/2C	1.19	22.62
3.	291/11	0.25	4.74
		Total	32.88



"B" SCHEDULE

<i>No.</i>	<i>SF</i>	<i>Extent</i>	<i>Kist</i>
1.	308/2	0.37	7.86
2.	308/3	0.26	6.16
3.	130/3	0.30	6.38
4.	130/4	0.32	6.80
5.	130/5	0.41	8.72
		Total	35.92

"C" SCHEDULE

<i>No.</i>	<i>SF</i>	<i>Extent</i>	<i>Kist</i>
1.	308/4	0.30	6.38
2.	308/5	0.83	17.64
3.	308/7	0.22	4.68
4.	308/9	0.48	10.20
		Total	38.90

Prayer in SA(MD) . 240/ 2014 :

To prefer this memorandum of Second Appeal against the judgment and decree passed in A.S.No.15 of 2005 on the file of learned Additional Subordinate Judge, Thanjavur dated 28.04.2009 confirming the judgment and decree passed in O.S.No.75 of 2004 on the file of District Munsif Court, Thiruvaiyaru dated 29.09.2004.

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.V.RAGHAVACHARI, Advocate for the petitioner, the court made the following order:-

This appeal arises out of a suit for recovery of possession. The plaintiff is the appellant in this second appeal. The plaintiff apprehends that during the pendency of this appeal, the respondents may alienate or encumber the suit properties.



2. It is needless to say 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.

WEB COPY

3. This civil miscellaneous petition is disposed of accordingly.

sd/-

06/10/2021

/ 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.

TO

1 THE ADDITIONAL SUBORDINATE JUDGE,
THANJAVUR.

2 THE DISTRICT MUNSIF,
THIRUVAIYARU.

+1 CC to M/s.V.RAGHAVACHARI, Advocate (SR-7002[I] dated
07/10/2021)

ORDER

IN

CMP(MD) No.7731 of 2021 in
S.A.(MD)No.240 of 2014

Date :06/10/2021

PMU

MS/VR/SAR-3/12.10.2021/3P.4C