



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Civil Appellate Jurisdiction )

Friday, the Twenty Ninth day of April Two Thousand Twenty Two

PRESENT

THE HON`BLE MR.JUSTICE M.DURAI SWAMY

and

THE HON`BLE MRS.JUSTICE T.V.THAMILSELVI

CMP.No.7497 of 2022

in AS.No.208 of 2022

L.LALITHA

[ PETITIONER ]

Vs

KANNIAPPAN

[ 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, his men, agents or any other third parties from alienating the suit schedule property(CMP.No.7497 of 2022) Pending disposal of the above AS.No.208 of 2022.

#### **SCHEDULE OF PROPERTY**

South Chennai registration District, Kancheepuram District, Pallavaram Taluk, Pallavaram Sub-registration District, Pallavaram Firka, Pallavaram Village, Mariamman Koil Street, bearing Old Door No 7, New Door No 11, comprising to an extent of about 1800 sq.feet of land and house. This property lies within the limits of Pallavaram Municipality.

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.VIJAYAKUMAR, Advocate for the petitioner, the court made the following order:-

(Order of the Court made by M.DURAI SWAMY,J.)

The unsuccessful plaintiff has filed the above Miscellaneous Petition challenging the dismissal of the suit for partition in O.S.No.57 of 2019 on the file of the Principal District Court, Kancheepuram.



2. The appellant has filed the above Miscellaneous Petition seeking for an order of injunction restraining the respondents from alienating or encumbering the suit properties.

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3. Since the suit for partition has been dismissed by the Trial Court and further that any alienation during the pendency of the First Appeal, would be hit by section 52 of the Transfer of Property Act, we are not inclined to grant an order of interim injunction. Accordingly, this petition is dismissed.

-sd/-

29/04/2022

/ TRUE COPY /

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

TO

THE PRINCIPAL DISTRICT JUDGE,  
KANCHEEPURAM DISTRICT AT CHENGALPATTU.

Order  
in  
CMP.No.7497 of 2022

in AS.No.208 of 2022

Date :29/04/2022

From 26.2.2001 the Registry is issuing certified  
copies of the Interim Orders in this format  
GS(06/05/2022)