



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.7305 of 2022

in AS.No.200 of 2022

1 NALLAVEDY [PETITIONERS]

2 COVINDANE

Vs

1 PARVATHY [RESPONDENTS]

2 RADHA

3 RAMASAMY

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order of temporary injunction against the respondents herein restraining them from executing any documents of alineations and encumbrances of other deeds for any purpose and from changing the nature and the kind of suit properties and from transferring possession of any portion of suit properties which are also the subject matter properties in OS No.69/2011 on the file of the Learned III Additional District Judge at Pondicherry to any third party [in CMP.No.7305 of 2022] pending disposal of the above main AS.No.200 of 2022

SCHEDULE OF PROPERTY, XEROX COPY ATTACHED

Order : This Miscellaneous 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.SUBRAMANIAN, Advocate for the petitioner, the court made the following order:-



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

The unsuccessful plaintiffs have filed the above Miscellaneous Petition challenging the dismissal of the suit for partition in O.S.No.69 of 2011 on the file of the III Additional District Court, Puducherry.

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

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 III ADDITIONAL DISTRICT JUDGE,
PUDUCHERRY

Order
in
CMP.No.7305 of 2022
in AS.No.200 of 2022

Date :29/04/2022

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