



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.7844 of 2022

in AS.No.215 of 2022

S.PRAKASH

[PETITIONER]

Vs

S.SARANYA

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an ad-interim injunction restraining the respondent from encumbering or alienating the suit property described in the schedule hereunder as mentioned in O.S.No.78/2019 on the file of the Principal District Judge, Thiruppur(CMP.No.7844 of 2022)pending disposal of the AS.No.215 of 2022.

SCHEDULE OF PROPERTY XEROX COPY ATTACHED

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.T.SHANMUGARAJESWARAN, 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 specific performance in O.S.No.78 of 2019 on the file of the Principal District Court, Tiruppur.

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



3. Since the suit for specific performance 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,
THIRUPPUR.

C.C. to M/S.T.SHANMUGARAJESWARAN Advocate SR.NO.3639/2022

Order

in

CMP.No.7844 of 2022

in AS.No.215 of 2022

Date :29/04/2022

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