



O.A.No.288 of 2022
in
C.S.No.78 of 2022

C.V.KARTHIKEYAN, J.

The suit has been filed seeking specific performance.

2. The present application has been filed seeking an order of interim injunction restraining the respondent/defendant from alienating or dealing with the suit schedule property.

3. The respondent/defendant is the owner of the property.

4. Section 52 of the Transfer of Property Act, can be directly invoked and if the respondent/defendant seeks to deal with the property in his capacity as the owner of the property, the following steps should be taken.

a) He must disclose to the Court about his intention to deal with the property.

b) The Court should grant leave to deal with the property.

c) He must also inform the plaintiff about his intention to deal with the property and disclose the name of the prospective buyer.

d) He must also if, the sale goes through, mention in the recital in the sale deed about the pendency of the suit and that the property is being sold subject to the final decision in the suit.

5. These conditions will have to be complied with.



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6. If without obtaining leave or without informing the Court or without informing the plaintiff any transaction is conducted over the suit schedule property, necessary orders shall be passed.

7. The application is disposed of with the above directions.

13.09.2022

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