



A.No.3804 of 2022
in O.A.No.208 of 2022

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C.V.KARTHIKEYAN,J.

It appears that the plaintiff had obtained an order of ex-parte interim injunction dated 18.07.2022. Aggrieved, the present application has been filed to set aside the ex-parte order.

2.It is seen from the records, that on 18.07.2022, when O.A.No.208 of 2022 was pressed before the learned Single Judge seeking an ad interim injunction restraining the respondents namely, the applicants in the present application from demolishing, alienating, mortgaging or dispossessing of the suit property, my learned predecessor had granted an order of interim injunction as prayed for until further orders.

3.The code prescribes that an ex-parte injunction order should be granted only for a limited period of time and thereafter, notice under Order 39 Rule 3(a) of CPC has to be sent and then both the parties will have to be heard and thereafter, a decision will have to be taken whether to extend the injunction order or to go back to the original status as it was at the time of filing the suit. Granting interim injunction as prayed for until further orders



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would certainly affect the interest of the respondents therein. Therefore, that particular order is interfered with and the present application is allowed. But however, the affidavit filed in the present application can be taken as a counter in O.A.No.208 of 2022.

4.For advancing arguments in O.A.No.208 of 2022, call the matter once again on 17.10.2022.

19.09.2022

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