



C.M.A.No.2329 of 2022

WEB COPY IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED : 27.10.2022

CORAM:

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.M.A.No.2329 of 2022

and

C.M.P.No.18131 of 2022

1.Soniya

2.Minor K.S.Deskhith Varma

rep. By next friend mother

Ms.Soniya

... Appellants/Petitioners/plaintiffs

Vs.

1.R.Kishore Kumar

2.The Sub Registrar,

Sub Registrar's Office,

Thiruvallur – 602 001. ... Respondents/Respondents/Respondents

Prayer: Civil Miscellaneous Appeal is filed under Order XLIII Rule 1(r) of the Code of Civil Procedure against the order dated 15.09.2022



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in I.A.No.3 of 2021 in O.S.No.1 of 2021 on the file of the learned Judge, Family Court, Thiruvallur.

For Appellants : Mr.A.R.Suresh

JUDGMENT

The above appeal is filed challenging the order passed in I.A.No.3 of 2021 in O.S.No.1 of 2021 on the file of the learned Judge, Family Court, Thiruvallur, in and by which the learned Judge has dismissed the petition filed by the appellant/wife seeking an ad interim injunction restraining the 1st respondent/1st defendant, his men, agents and servants from alienating or creating any Encumbrance Certificate over the petition mentioned property till the disposal of the suit.

2.In the common counter affidavit that has been filed to the said petition, the respondent has made the following statements:

“15.I further state that the further averments contained Paragraph 21, 22 and 23 are all denied as



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false. *In fact, there is no intention to alienate or encumber the suit property to any third party* with a view to tarnish my reputation, the 1st petitioner stated that "I am trying to create some fraudulent transactions", which is stoutly denied as false."

Recording the above Undertaking, this Civil Miscellaneous Appeal is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

27.10.2022

Index : Yes/No
Internet : Yes/No
Speaking order / Non speaking order
mps

To

The Judge,
Family Court,
Thiruvallur.



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P.T. ASHA, J,

mps

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