



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Civil Appellate Jurisdiction )

Tuesday, the Twenty Ninth day of March Two Thousand and Twenty Two

PRESENT

**The Hon`ble Ms.Justice R.N.MANJULA**

CMP(MD) No.6479 of 2020  
IN  
AS(MD) No.180 of 2020

MOTHI PERIYAKARUPPANAN @ M.MAHARAJAN

... APPELLANT/PLAINTIFF

Vs

1. M.MALAICHAMY  
2. M.GNANASEKARAN

... RESPONDENTS/DEFENDANTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order of Interim Injunction restraining the Respondents their men, agents, etc from any manner alienating or encumbering the suit schedule properties in O.S.No.11 of 2014 on the file of V Additional District Judge, Madurai pending disposal of the present appeal suit.

**Prayer in AS(MD) .180/2020 :**

To pass a judgment an decree by setting aside the judgment and decree passed in O.S. No.11 of 2014 on the file of the V Additional District, Madurai in respect of A, B, and C Schedule properties in the plaint and to decree the suit by granting 1/3rd share in the Suit A, B, and C Schedule of properties by decreeing the suit as prayed for by allowing this appeal suit with costs throughout.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.D.NALLATHAMBI, Advocate for the petitioner and of MR.A.ARUMUGAM, Advocate for M/S.Ajmal Associates on behalf of the 2<sup>nd</sup> Respondent and of none appeared for the 1<sup>st</sup> respondent either in person or through by an advocate, the court made the following order:-

This petition has been filed for interim injunction restraining the respondents from any manner alienating or encumbering the suit schedule properties till the disposal of the appeal.



2.The suit has been filed seeking the relief of partition, in which preliminary decree had already been passed. Both side counsel submitted that they are ready to argue the main appeal itself.

3.In such circumstances, granting injunction as requested by the petitioner for a short period would not cause any prejudice to either side. Hence, this petition is allowed and interim injunction is granted.

sd/-  
29/03/2022

/ TRUE COPY /

/ /2022  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

THE V ADDITIONAL DISTRICT JUDGE,  
MADURAI.

+1 CC to M/s.D.NALLATHAMBI, Advocate ( SR-2707[I] dated 30/03/2022 )

ORDER  
IN  
CMP(MD) No.6479 of 2020  
IN  
AS(MD) No.180 of 2020  
Date :29/03/2022

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USK/PN/SAR-III/01.04.2022/2P/3C