



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

Thursday, the Seventh day of July Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR
and
The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD) No.3573 of 2022
in
A.S(MD)No.53 of 2017

1 CHITRA
2 R.VASANTHI
3 S.KALAISELVI

... PETITIONERS/APPELLANTS

Vs

1 PARAMASIVAM
2 P.GANESAN

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant an ad interim injunction restraining the respondents, their men, agents or any person claiming under them from putting up constructions or altering the physical features of the properties which is the subject matter of the suit in O.S.No.132 of 2014 on the file of Principal District Judge, Trichirappalli pending disposal of the above first appeal in A.S(MD).No.53/2017.

PRAYER IN AS(MD) No.53 of 2017 :

Pleased to set aside the judgment and final decree dated 02.11.2016 in O.S.No.132 of 2014 on the file of the Learned Principal District Judge, Tiruchirappalli and allow the first appeal.

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.AL.GANTHIMATHI, Advocate for the petitioners and of MR.K.PRABHAKARAN, Advocate on behalf of the Respondents, the court made the following order:-

(The order of the Court was made by S.S.SUNDAR, J.)

As against the judgment and decree of the lower Court in O.S.No.132 of 2014 on the file of the Principal District Judge, Trichirappalli, dated 02.11.2016, the petitioners/plaintiffs have preferred the present appeal.



2. The grievance of the petitioners is that the first respondent is putting up construction in the suit schedule property. Therefore, they have filed this petition to grant interim injunction restraining the first respondent from putting up any construction in the suit schedule property.

3. The learned counsel appearing for the first respondent has produced before this Court, a set of photographs, to show that the first respondent has undertaken some renovation work in a building. The learned counsel further stated that no construction is put up by the first respondent in any other suit schedule properties except the renovation work. He further submitted that the first respondent will not claim any right for allotment or claim equity by virtue of any addition or expenditure he has made to renovate the building.

4. Recording the said undertaking, this petition is closed.

5. Registry is directed to list the appeal for final hearing after four weeks.

sd/-
07/07/2022

/ TRUE COPY /

/07/2022

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

TO
THE PRINCIPAL DISTRICT JUDGE,
TIRUCHIRAPALLI.

COPY TO :

1. THE SUB-ASSISTANT REGISTRAR,
A.E. SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2. THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.AL.GANTHIMATHI, Advocate (SR-6786[I] dated 08/07/2022)

+1 CC to M/s.K.PRABHAKAR, Advocate (SR-6893[I] dated 11/07/2022)

ORDER
IN
CMP(MD) No.3573 of 2022 in
A.S(MD)No.53 of 2017
Date :07/07/2022