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C.M.P.No.24143 of 2023

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in

S.A.No.767 of 2023

P.T.ASHA, J.,

The petitioner/appellant is the plaintiff before the District Munsif Court, Thiruvottiyur in O.S.No.125 of 2009.

2. The suit was filed for a bare injunction restraining the defendant, his agents or men from interfering with the plaintiff's peaceful possession and enjoyment of the suit schedule property.

3. The suit was dismissed by judgment and decree dated 30.01.2015, which was confirmed by judgment and decree dated 23.10.2021, passed in a appeal in A.S.No. 20 of 2015 before the Additional Subordinate Court, Ponneri.

4. The plaintiff did not have the benefit of injunction throughout the proceedings. Further, in this petition now before this Court, no details not even the basic ingredients required for seeking an order of injunction restraining the respondents from interfering with the petitioner's peaceful possession and enjoyment of the suit schedule property has been pleaded. The suit for injunction was dismissed by



C.M.P.No.24143 of 2023

both the Courts holding that the plaintiff has not proved his case.

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5. Therefore, the petitioner has not made out any *prima facie* case and hence, the C.M.P. stands dismissed. Post the second appeal in usual course.

22.11.2023

ssa



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