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C.M.P.No.21842 of 2023

in

A.S.No.635 of 2023

R.SUBRAMANIAN, J.

and

N.SENTHILKUMAR, J.

The petitioners seek an order of injunction restraining the respondents from alienating or encumbering the properties subject matter of the suit in O.S.No.229 of 2018 on the file of the II-Additional District and Sessions Judge, Tiruvallur at Poonamallee.

2.The suit was one for partition and separate possession of the plaintiff's 1/4th share in suit 'A' schedule property, 1/4th share in suit 'B' and 'C' schedule properties, 1/4th share in the sale proceeds of 1.56 acres of land in Survey No.366/2 in schedule 'B', 1/4th share in the sale proceeds of 1.90 acres in Survey Nos.425/1, 425/20, 425/3, part of schedule 'A' properties.

3.After trial, the learned District Judge had dismissed the suit on the conclusion that the plaintiff do not have a share in the suit properties, since they were dealt with by the ancestor, T.Muniyappa Choudry under Ex.A1, Will dated 30.08.1978. Hence, this appeal by the plaintiff.



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4.Any alienation, pending this appeal would be subject to the result of the appeal. Hence, we do not see any reason for grant of injunction. This injunction petition is therefore, dismissed.

(R.S.M., J.) (N.S., J.)
02.11.2023

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