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A.Nos.524, 340, 341 of 2024 and 3826 of 2023  
& O.A.No.193 of 2023  
in C.S.No.52 of 2023

**N.SATHISH KUMAR, J.**

A.No.3826 of 2023 has been filed seeking to reject the plaint in the above suit. When the suit was taken up, the learned counsel for the defendant seeks leave of this Court to withdraw the application with a liberty to raise the issue of joint possession in the written statement. He also made an endorsement in the case bundle to that effect.

2. Accordingly, the Application No.3826 of 2023 is dismissed as withdrawn with a liberty to the defendant to raise the issue of joint possession in the written statement.

3. O.A.No.193 of 2023 has been filed by the plaintiff seeking for an order of Interim Injunction restraining the defendant dealing with any of the properties mentioned in the Schedule to the Judges Summons affecting the interest of the Applicant pending disposal of the present suit.

4. On perusal of the counter affidavit of the defendant, the defendant has submitted as follows:



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*“...6. With respect to paras 5 and 6, the allegation that attempts are being made to deal with the properties are denied as false and baseless. It is relevant to point out that under the wills of my parents, certain properties have been bequeathed to me and I am therefore entitled to deal with those properties without any fetter. However, I shall not shall not transfer or encumber any property affecting the applicant's interest without putting the applicant on notice about the same.”*

Since, the defendant herself has in categorical terms admitted that she shall not transfer or encumber any property affecting the applicant/plaintiff interest without putting the applicant on notice about the same. This Court is of the view, no order is required in the application.

5. Accordingly, the application in O.A.No.193 of 2023 stands closed.

6. With regard the Application Nos.340 and 341 of 2024, the learned counsel for the defendant submitted the details. The learned counsel for the plaintiff submitted on going to the details, he shall report before the Court.

7. Post on 05.04.2024.

18.03.2024

*dhk*



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