



C.M.P.Nos.10235 & 10245 of 2024

in

A.S.Nos.324 & 329 of 2024

R.SUBRAMANIAN, J.

and

R.SAKTHIVEL, J.

The prayer in these petitions run as follows:-

C.M.P.No.10235 of 2024

"to grant an order of injunction restraining the 2nd respondent herein, her men and agents herein from in anyway alienating the suit property subject matter in O.S.No.99 of 2018 on the file of the Additional District Judge FTC, Vellore, Vellore District pending disposal of the above appeal."

C.M.P.No.10245 of 2024

"to grant an order of injunction restraining the 2nd respondent herein, her men and agents herein from in anyway alienating the suit property subject matter in O.S.No.100 of 2018 on the file of the Additional District Judge FTC, Vellore, Vellore District pending disposal of the above appeal."

2.The suits for money filed by the appellants have been dismissed, forcing to come up with these appeals. Order 39, Rule 1 & 2 of the Code of Civil Procedure enables a Court to grant an injunction only when right to property is in dispute in a suit and not otherwise. Therefore, we do not think, remedy by way of an interim injunction is available to the appellants. Hence, both these petitions are dismissed.

(R.S.M., J.) (R.S.V., J.)

01.07.2024

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R.SUBRAMANIAN, J.
and
R.SAKTHIVEL, J.

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