



CMP No.9652 of 2024
in AS No.300 of 2024

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

(Order of the Court was made by
R.SUBRAMANIAN, J.)

The petitioners seek an order of injunction restraining the respondents from alienating or encumbering the property pending Appeal. The suit filed by the petitioners for partition in OS No.90 of 2013 has since been dismissed. Any alienation made pending Appeal will only be subject to the result of the suit in view of Section 52 of the Transfer of Property Act, 1872.

2. Hence we do not see any reason for grant of injunction as prayed for, this petition is therefore dismissed. It is made clear that if the respondents choose to alienate the property during the pendency of this Appeal, such alienation will be subject to the result of the Appeal.

[R.S.M., J.] [R.S.V., J.]

jv

23.07.2024