



C.M.P.No. 13339 of 2024
in A.S.No. 447 of 2024

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R.SUBRAMANIAN, J.
AND
R.SAKTHIVEL, J.

As far as this petition is concerned, an injunction is sought for restraining the respondents from withdrawing the compensation that is payable for the lands that are under acquisition (Item No.22 of the property). We find that the suit of the plaintiffs has been dismissed in respect of that property.

2.If we are to restrain the respondents from withdraw monies that has paid as compensation for acquisition, we will be interjecting the 4th defendant who is the rightful owner from exercising his right to property. Even if the plaintiffs / appellants succeed in the appeal, the value of those lands can be compensated from and out of the properties that are available, since the suit has been decreed in respect of 24 items out of 33 items. Hence, we do not find that there is balance of convenience in favour of the petitioner to seek an order of injunction. Therefore, this Civil Miscellaneous Petition is dismissed with liberty to the petitioner to seek equities, if they succeed in the appeal.

[R.S.M., J.] [R.S.V., J.]
25.07.2024

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