



O.A No.524 of 2024 in C.S No.499 of 2010

A.A.NAKKIRAN, J.

This application has been filed by the applicant/4th defendant to restrain the 3rd defendant, his men, agents and representatives from alienating or creating any encumbrance in respect of the suit schedule properties, including the proposed properties sought to be included in the schedule of properties, pending disposal of the above suit.

2.The learned counsel for the 5th respondent/1st defendant has no objection in allowing this application.

3.The 8th respondent/5th defendant has also no objection to allow this application by way of filing a counter affidavit.

4.The respondents 1 to 4/plaintiffs filed a counter affidavit stating that if the applicant has any grievances against the 2nd and 3rd defendants, he may pursue separate civil proceedings for the relief sought and if the application is allowed, it would alter the nature of the suit, which is impermissible under law and only to drag on the proceedings to defeat the claim of the plaintiffs, the present application is filed and hence, the application is liable to be dismissed.

5. No representation for the 6th &7th respondents/2nd & 3rd defendants.

A.A.NAKKIRAN.,J.



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6. Considering the facts and circumstances and having satisfied with the reasons stated in the affidavit filed in support of the application, this application is allowed.

7. Registry is directed to list the matter before the Additional Master-III for recording evidence on 25.10.2024.

19.10.2024

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