



WEB COPY



CMP NO. 8 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2025

CORAM

THE HONOURABLE MR JUSTICE R. SUBRAMANIAN

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

CMP NO. 8 of 2025

in

AS.No.2 of 2025

R.D.V.Ramalingam
S/o.Venugopal, No.9/12 Bangla Street, Pudhupet,
Virudhachalam,Cuddalore District.

Appellant(s)

Vs

R.D.V. Ravi
S/o.Venugopal, No.269/3 Thendral Street, Kamarajar
Nagar, Aladi Road, Vridhachalam - 606 001, cuddalore
Dist. and 12 Others

Respondent(s)

For Appellant(s):

M. Balakrishna

For Respondent(s):

Mr.S.Ramachandran For R1

ORDER

*(Order of the Court was made by the Hon'ble **R.Subramanian J.**)*

The petitioner seeks an injunction restraining the respondent from
interfering with his peaceful possession and enjoyment of the 8th suit
schedule property.



2. The application is made solely on the ground that the property stands in the name of the petitioner and that he is in exclusive possession of the same. A decree for partition has been granted in favour of the respondent and we had already granted stay of passing of final decree. As of today, the respondent is a co-owner along with the petitioner. Unless the decree granted by the Trial Court is reversed, the petitioner cannot claim exclusive title for the said property. The respondent being a co-owner, there cannot be an injunction against him.

3. Hence, this petition is dismissed.

(R.SUBRAMANIAN J.) (C.KUMARAPPAN J.)

28-01-2025

(1/2)

kmi