



WEB COPY

CMP NO. 28695 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-01-2025

CORAM

THE HONOURABLE MR JUSTICE R. SUBRAMANIAN

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

CMP NO. 28695 of 2024

in AS No.1125 of 2024

Palanathal

W/o. Late. Murugappan, Ayyanthottam, Sirupooluvapatti,
Velampalayam Village, Tiruppur Taluk, Tiruppur Dt. and 6 Others

Appellant(s)

Vs

K. Muruganathan

S/o. M. Kaliappan, D.No.9, Madeswarankoil Street,
Anupparpalayam, Velampalayam Village, Tiruppur Taluk and Dt.
M. Kaliappan (Died) and 3 Others

Respondent(s)

For Appellant(s):

N. Manoharan
R. Renukadevi
M. Adhishree
M. Manikandaprabhu
R. Adithyashri

For Respondent(s):

K. Govi Ganesan

S. Sriram

M. Vishali

P. Santhosh

C. Vigneshwaran Caveator For R2 And R3



ORDER

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



The prayer is for an injunction restraining the respondents from alienating or

encumbering the properties subject matter of the suit in OS No.30 of 2014 on the file of

I Additional District Judge, Tiruppur. The suit was filed for enforcing a right of

preemption and for a declaration that the Sale Deed dated 16.03.2011 executed by

defendants 1 and 2 in favour of defendants 3 and 4 is invalid. The Trial Court has

dismissed the suit on the ground that it is barred by limitation. Any alienation pending

Appeal will be subject to the result of the Appeal in terms of Section 52 of the Transfer

of Property Act.

2. Hence, we see no reason to grant an order of injunction at this juncture. The petition

is therefore dismissed.

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

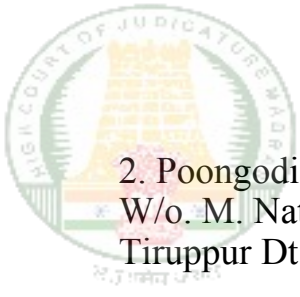
02-01-2025

jv

To

1. K. Muruganathan

S/o. M. Kaliappan, D.No.9, Madeswarankoil Street, Anupparpalayam,
Velampalayam Village, Tiruppur Taluk and Dt. M. Kaliappan (Died)



2. Poongodi

W/o. M. Natraj, D.No.20, Anna Street, Velampalayam Village, Tiruppur Taluk,
Tiruppur Dt.

3. N. Arumugam

S/o. Nachimuthugounder, O.No.62, N.No.484, Gandhi Road, Anupparpalayam Pudur,
Velampalayam Village, Tiruppur Taluk and District.

4. K. Banumathi

W/o. Kaliyappan, D.No.R-9, 100 Feet Road, Kovaipudur Main road, Coimbatore
Taluk, Coimbatore Dt.