



WEB COPY



CMP NO.5583 OF 2006
IN S.A.NO.440 OF 2006

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2026

CORAM

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

CMP NO.5583 OF 2006

IN

S.A.NO.440 OF 2006

1.A.Thangavel Pillai (Died)
S/o.Annamalai Pillai
Ammaigaram Village,
Kallakurichi Taluk,
Villupuram District.

2.Dhanapackiam
W/o. Thangavel Pillai

3.Selvambal
W/o. Thangavel Pillai

4.Thavamani
W/o. Ravichandran

... Petitioners /
Appellants

(Appellant No.1 died. Appellants 2 to 4
brought on record as LRs' of the
deceased sole appellant vide Order of
Court dated February 14, 2013 made in
CMP Nos.1236 to 1238 of 2011
in S.A.No.440 of 2006)

Vs.



CMP NO.5583 OF 2006
IN S.A.NO.440 OF 2006

1.Vaiyapuri
S/o. Kumarasamy

2.Muthuvel
S/o. Vaiyapuri

Respondents 1 and 2 are residing at
Ammaigaram Village,
Kallakurichi Taluk,
Villupuram District.

... Respondents /
Respondents

PRAYER: Civil Miscellaneous Petition filed under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908 praying to grant an order of interim injunction restraining the respondents their men, agents, servants and subordinate from interfering with the peaceful possession and enjoyment of the Suit Property comprised in O.S.No.106 of 1999 on the file of the III Additional District Munsif Court, Kallakurichi, pending disposal of the above appeal.

For Petitioners : Mr.S.Ramachandran

For Respondent -2 : Mr.M.S.Ahilavan
for M/s.G.RM.Palaniappan

ORDER

Mr.S.Ramachandran, Counsel on record for the petitioners / appellants and Mr.M.S.Ahilavan, representing M/s.G.RM.Palaniappan, Counsel on record for the second respondent are before this Court.



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2.This Court has perused the affidavit filed in support of this Civil Miscellaneous Petition.

3.This Civil Miscellaneous Petition has been filed under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908 on March 3, 2006 seeking an interim injunction in favour of the petitioners and against the respondents. But till date, no interim injunction was granted in this Civil Miscellaneous Petition.

4.Considering the age of the Second Appeal, this Court is of the view that no fruitful purpose would be served by keeping this Civil Miscellaneous Petition pending. Accordingly, this Civil Miscellaneous Petition is closed.

25.03.2026

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R. SAKTHIVEL, J.

TK

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