



C.M.A.No.1594 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

C.M.A.No.1594 of 2026
and C.M.P.No.13461 of 2026

1. V.Jayaraman
2. V.Santhanam
3. Suseela Ammal ... Appellants

Vs.

1. Janakiraman
2. V.Ranganathan
3. R.Krishnamoorthy
4. J.Vimala
5. R.Ananthanarayanan
6. Vijayashree ... Respondents

PRAYER: Appeal filed under Order XLIII Rule 1 of the Civil Procedure Code, to set aside the fair order and decretal order dated 12.03.2024 made in I.A.No.3 of 2023 in O.S.No.298 of 2023 on the file of the Mahila Court, Kancheepuram District at Chengalpattu.

For Appellants : Mr.M.Muthappan

For Respondents : Mr.E.C.Ramesh

JUDGMENT

This Civil Miscellaneous Appeal has been filed seeking to set aside the fair and decretal order dated 12.03.2024 passed by the learned Sessions



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Judge, Mahila Court, Kancheepuram District at Chengalpattu, in I.A.No.3

of 2023 in O.S.No.298 of 2023, whereby, the trial Court granted an order to maintain *status quo* regarding the suit properties till the disposal of the suit.

2. The respondents are the plaintiffs and the appellants are the defendants before the trial Court in O.S.No.298 of 2023. For the sake of convenience, the parties are referred to as they are arrayed in the original suit.

3. The brief facts of the case are as follows:-

3.1. The plaintiffs are the descendants of one late Srinivasa Naidu and the defendants are the descendants of one late Munusamy Naidu. The said Srinivasa Naidu and Munusamy Naidu are the descendents of one late Veerasamy Naidu.

3.2. The plaintiffs, claiming that the properties are undivided joint family properties, had filed a partition suit in respect of the suit schedule properties (all that piece and parcel of the Punsei Lands situated in Anjur Madura Therkupattu Village, Chegalpattu Furka, Chengalpattu Taluk and District) measuring to an extent of 2.54 acres.

3.3. Pending suit, the plaintiffs/petitioners filed an application in I.A.No.3 of 2023 under Order XXXIX Rules 1 & 2 r/w 151



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CPC seeking grant of an order of ad-interim injunction restraining the defendants/respondents, their men and agents or servants or any other person claiming through them or in any manner from altering or encumbering the suit schedule properties till the disposal of the suit.

3.4. The defendants/respondents filed a counter denying the allegations. On the side of the plaintiffs, Ex.P1 to Ex.P19 were marked and on the side of the defendants, Ex.R1 and Ex.R2 were marked. No oral evidence was marked on both sides.

3.5. The trial Court, by an order dated 12.03.2024, directed the parties to maintain *status quo* of the suit properties till the disposal of the suit.

3.6. Challenging the same, the defendants/respondents have filed the present Civil Miscellaneous Appeal.

4. Learned counsel appearing for the appellants/defendants submitted that the appellants/defendants have been in possession and enjoyment of the suit property for more than 33 years and they are carrying on the agricultural operations. He further submitted that the appellants/defendants have been availing agricultural loans under various schemes from agricultural cooperative societies for their agricultural



purposes and that due to the *status quo* order passed by the trial Court, they are now unable to avail such loans, which is putting them to a great hardship and predicament. He also submitted that the appellants/defendants are ready to file an undertaking before the trial Court not to encumber or alienate the property. Hence, he sought a clarification permitting them to avail agricultural loans and not otherwise.

5. Learned counsel appearing for the respondents/plaintiffs submitted that the plaintiffs and the defendants are the common legal heirs of late Veerasamy Naidu and if *status quo* is not maintained till the disposal of the suit, the defendants/appellants may encumber or alienate the suit property. Therefore, the trial Court rightly granted an order of *status quo*. He, however, submitted that if the defendants/appellants give an undertaking that they will not encumber or alienate the suit property, the plaintiffs/respondents have no objection to the defendants/appellants availing loans. He further submitted that the pleadings are complete in the suit, issues have been framed and the case is ripe for trial and therefore, a direction may be issued to the trial Court to dispose of the suit within a specified period and that the respondents/plaintiffs are ready to cooperate for the speedy conduct of the trial.



6. At this juncture, the learned counsel appearing for the appellants/defendants submitted that he has no objection to a time frame being fixed for the early disposal of the suit and the defendants are also ready to cooperate for the same.

7. Heard both sides and perused the materials available on record.

8. The point for determination in this appeal is whether the trial Court is right in ordering *status quo*. The relationship between the parties is not disputed. It is the case of the appellants/defendants that they have been in possession and enjoyment of the property for more than 33 years and they have also availed of agricultural loans. Therefore, due to the *status quo* ordered by the trial Court, they were unable to avail of any further agricultural loans. Furthermore, the appellants/defendants have also given an oral undertaking that the clarification is sought only for the limited purpose of availing of agricultural loan from Agricultural Bank/Society without creating any encumbrance to the property pending the suit and that they will not alienate the property till the disposal of the suit. It is further noted that the respondents/plaintiffs have no objection to the appellants/defendants availing of such agricultural loans.



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9. In view of the above, this Civil Miscellaneous Appeal stands

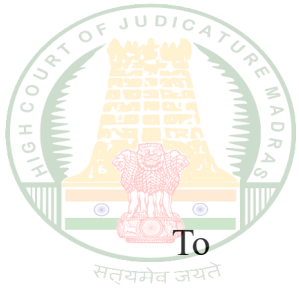
disposed of with the following directions:

- (a) The appellants/defendants are entitled to avail loan only for agricultural purposes and not otherwise;
- (b) The appellants/defendants shall also not encumber or alienate the suit schedule property in any manner till the disposal of the suit.

10. Now that the pleadings are complete and issues have been framed, a direction is issued to the learned trial Judge to complete the trial in O.S.No.298 of 2023 as expeditiously as possible, preferably within a period of **six months** from the date of receipt of a copy of this order. It is made clear that both parties shall cooperate in the conduct of the trial for the disposal of the suit within the time frame fixed above. Connected miscellaneous petition is closed. No costs.

15.06.2026

Neutral Citation: Yes/No
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To

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1. The Sessions Judge,
Mahila Court,
Kancheepuram District at Chengalpattu.
2. The Section Officer,
VR Section,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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