Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2026

CORAM

THE HON'BLE MR JUSTICE N. SATHISH KUMAR

AND

THE HON'BLE MR.JUSTICE GK.MUTHUKUMAAR

OSA No. 183 of 2023
in
CMP.No.21571 of 2023
CNR: {HCMA011672992023}

Rm. Venkataraman

..Appellant(s)

Vs

1. Vst. Pl. Valliammai
2. KP Subramanian
3. Suba Raj Kumar
4. R Iyyappan

..Respondent(s)

Original Side Appeal filed under Order XXXVI Rule 9 of OS Rules read with Clause 15 of Letters Patent to set aside the order dated 21.08.2023 made in Original Application No.413/2023 in C.S.No.89/2023.

For Appellant(s):	Mr.S.Elambharathi for Mr.M.Vijayamehanath
For Respondent(s):	R2 – Court Notice returned No such person No appearance for R3 & R4

JUDGMENT

(Judgment of the Court was delivered by N.Sathish Kumar J.)

Challenging the order of the learned Single Judge granting interim injunction in respect of alienating the property alone, the present appeal is filed.

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2. The learned counsel for the appellant submitted that very prayer in the suit is to declare the settlement deed executed by one SP.Kuppan as null and void on the ground that he was of unsound mind. According to him, even after the said settlement deed, he has executed sale deed and some of the defendants were also witness to the said sale deed, hence, submitted that there cannot be any injunction.

3. Heard the learned counsel for the appellant and perused the materials placed on record.

4. In light of the above, now the point that arise for consideration in this appeal is whether the injunction granted by the learned Single Judge requires any interference?

5. The suit is filed to cancel certain documents said to have been executed by one SP.Kuppan on the ground that he was suffering from unsound mind. Now, it is stated by both sides that the matter is at the trial stage and PW1's chief examination is already over and the appellant was restrained only not to alienate the property pending the suit. Such being the position, we are of the view that no prejudice whatsoever would be caused. Even otherwise, any sale is always subject to *lis pendens* and if any injunction is not granted and if any third party rights are created, it will lead to further complication.

6. In such view of the matter, no prejudice would be caused in granting injunction as against the appellant by the learned Single Judge and we are not inclined to interfere with the order of the learned Single Judge.

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7. Accordingly, this original side appeal stands dismissed. No costs. Consequently, connected miscellaneous petition stands closed. Let the Trial be completed within a period of three months from the receipt of a copy of this judgment by the learned Master.

(N.S.K.,J.) **(G.K.M.,J.)**
27-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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N.SATHISH KUMAR, J.
AND
GK.MUTHUKUMAAR, J.

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