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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MR JUSTICE N. SATHISH KUMAR

AND

THE HON'BLE MR.JUSTICE GK.MUTHUKUMAAR

OSA No. 208 of 2026

CNR:{HCMA012576152026}

AND

CMP NO. 29895 OF 2026,

CMP NO. 29898 OF 2026

Case QR

R.Panneerselvam

..Appellant(s)

Vs

1. N.Dhanraj Kochar

2. Jitesh Kumar

3. M/s. Balajee & Co
   No.160 Hussain Plaza
   Thambuchetty Street, Chennai 600 001.

4. The Inspector General of Registration
   Registration Department,
   No.100, Santhome High Road,
   Chennai 600 028.

5. The District Registrar (Administration)
   Chennai Central Registration District,
   No.268, Bharathi Salai,
   Express Estate, Royapettah,
   Chennai 600 014.

6. The Sub-Registrar
   Sub-Registrar Office,
   TNSC Building, J.J. Complex,
   2nd Floor, Anna Nagar,
   Chennai 600 040.

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7. The Sub-Registrar
Sub-Registrar Office,
Municipal Community Hall,
Gopala Swamy Street,
Lenin Nagar,
Ambattur, Chennai 600 053.

..Respondent(s)

Original Side Appeal filed under Order XXXVI Rule 9 of the Original Side Rules r/w. Clause 15 of the Letters Patent to set aside the order dated 13.10.2026 passed by the learned Single Judge and consequently allow the O.A.No. 1074 of 2026 in C.S.No. 227 of 2026.

For Appellant(s): Mr.V.Raghavachari
Senior Counsel
for Mr.K.M.Mrithun Jayan

For Respondent(s): Mr.K.V.Babu
for Ms.Dipthi Munoth.A for R1

Mr.Karthick Selvaraj
Additional Government Pleader
for R4 to R7

JUDGMENT

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

Challenging the order of the learned Single Judge of this Court made in O.A.No.1074 of 2026 in C.S.No.227 of 2026, dated 13.10.2026, the present Appeal has been filed.

2.Originally, an application has been filed by the appellant/plaintiff for temporary injunction restraining the respondents 1 to 3 from proceeding or

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completing the proposed auction pursuant to the auction notice dated 28.08.2026 and/or from selling, alienating, encumbering, transferring or creating any third party right, title or interest in the suit property on the basis of the alleged General Power of Attorney dated 30.07.2014 and the Mortgage Deed dated 05.09.2014 pending disposal of the suit.

3.When the said application came before the learned Single Judge, the 1st defendant had submitted that the auction notice dated 21.09.2026 proposing to bring the suit property for sale on 14.10.2026 could be withdrawn and fresh auction notice would be issued. The learned Single Judge, recording the said submission, by order dated 13.10.2026, preserved liberty to the 1st defendant to issue fresh auction notice in accordance with law and directed that the issuance of fresh notice should not affect the rights of the applicant/appellant herein and thereby, posted the matter after vacation.

4.The said order has been put to challenge in the present Appeal.

5.We are of the view that the rights of the parties have not been decided in the impugned order. The learned Single Judge has just posted the matter after vacation and moreover, the right of the appellant/plaintiff is also preserved. Hence, we are of the view that the Appeal is not maintainable. It is made clear that we have not gone into the merits of the case. Liberty is granted

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to the appellant to challenge any such notice.

6.Accordingly, this Original Side Appeal is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(N.S.K.,J.) (G.K.M.,J.)
04-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

MKN

To

1. The Inspector General of Registration
   Registration Department,
   No.100, Santhome High Road,
   Chennai 600 028.

2. The District Registrar (Administration)
   Chennai Central Registration District,
   No.268, Bharathi Salai,
   Express Estate, Royapettah,
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