



C.M.P.No.5806 of 2026 in A.S.No.325 of 2026

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2026

CORAM

THE HONOURABLE MR.JUSTICE C.V. KARTHIKEYAN

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

C.M.P.No.5806 of 2026

in

A.S.No.325 of 2026

Anbumani (died)

1.Rayappan
S/o.Saminathan

2.Stephen Singh
S/o.Rayappan

3.Stalin Singh
S/o.Rayappan

... Petitioners

vs

Iyyappan
S/o.Perumal

... Respondent

[Cause title accepted *vide* Court order dated 08.01.2026 made in C.M.P.No.293/2026 in A.S.Sr.No.211532 of 2025 [NSKJ & RSVJ)]



C.M.P.No.5806 of 2026 in A.S.No.325 of 2026

Civil Miscellaneous Appeal filed under Section 151 of the Civil

Procedure Code praying to grant an order of interim injunction restraining the respondent herein from alienating, encumbering or in any manner dealing with the property that is the subject matter of the suit in O.S.No.169 of 2020 on the file of the II Additional District Court, Puducherry, during the pendency of the appeal suit and until its final disposal.

For Petitioners : Mr.R.Bharath Kumar

For Respondent : Mr.K.S.Jeyaganeshan

ORDER

[Order of the Court was made by **C.V. KARTHIKEYAN, J**]

This petition has been filed seeking an order of interim injunction restraining the respondent herein from alienating, encumbering or in any manner dealing with the property pending disposal of the appeal.

2. Since the original plaintiff in the suit died, the petitioners herein had been brought on record as legal representatives of the original plaintiff. The suit has been filed seeking specific performance of an agreement of sale. The relief seeking specific performance had been rejected, but, return of advance sale consideration had been directed. However, a charge had not



C.M.P.No.5806 of 2026 in A.S.No.325 of 2026

been created over the property by the trial Court. Section 52 of the Transfer of Property Act would directly apply and if the respondent seeks to deal with the property, he must comply with the stipulations therein and seek leave of the Court. It is also noted that during the pendency of the suit, injunction order was not granted and the petitioners/appellants had not enjoyed such an order.

Observing as above, C.M.P.No.5806 of 2026 stands closed.

[C.V.K., J] [K.R.S., J]
17.03.2026

Index:yes/no
Netural Citation:yes/no
Speaking Order/Non-speaking Order
gm



WEB COPY



C.M.P.No.5806 of 2026 in A.S.No.325 of 2026

C.V. KARTHIKEYAN, J

and

K.RAJASEKAR, J

gm

C.M.P.No.5806 of 2026

in

A.S.No.325 of 2026

17.03.2026

(2/2)