



CMP(MD)



026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25-03-2026

CORAM

WEB COPY

THE HONOURABLE MR JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MS.JUSTICE R. POORNIMA

CMP(MD) NO. 1449 of 2026

1. R. Basakaran
S/o. Ramamurthy
Residing at Nadupattipal
Marudhur Village
Kulithalai Taluk
Karur District. Presently residing at Door No.209/1
SRM Complex
Nangavaram Road
Perugamani
Sririangam Taluk
Trichy District.

Petitioner(s)

Vs

1. P. Dhanalakshmi
W/o. Periyasamy
Door No. 4/343
Sanarpalayam
Periyakarupar Village
Sririangam Taluk
Trichy District.

Respondent(s)

For Petitioner(s):

Mr.P.Ganapathi Subramanian

For Respondent(s): Mr.V.George Raja

Prayer: This petition is filed under Section 151 of C.P.C., to pass an order of interim injunction thereby restraining the respondent/defendant from creating any sort of encumbrance with regard to the suit property pending disposal of the appeal and thus render justice.



ORDER

(Order of the Court was made by the Hon'ble G.R.Swaminathan J.)

The plaintiff is the appellant herein. His suit for specific performance in O.S.No.3 of 2025 was decreed only to the extent of ordering refund. The relief of specific performance was denied. Aggrieved by the same, this appeal has been filed.

2. The petitioner / appellant wants this court to restrain the defendant from alienating or encumbering the suit property during the pendency of this appeal.

3. When the petitioner was denied the relief of specific performance by the trial court itself, it may not be in the interest of justice to grant the interim relief sought for by the petitioner. The rights of the parties will abide by the outcome of the appeal.

4.This Civil Miscellaneous Petition is disposed of accordingly.

(G.R.SWAMINATHAN J.) (R.POORNIMA J.)

25-03-2026

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To

1. P. Dhanalakshmi

W/o. Periyasamy

Door No. 4/343

Sanarpalayam

Periyakarupar Village

Srirangam Taluk

Trichy District.