



C.M.P(MD)No.5882 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MS.JUSTICE R. POORNIMA

C.M.P(MD)No.5882 of 2026

in

A.S(MD)No.122 of 2024

Muhammadu Husainudden

... Petitioner /
Appellant

Vs.

1.Joesphine Stella
2.PuhariUmmal
3.Mohammed Niyas
4.Udayakumar
5.Asha Dayana
6.Sheik Mohammed @ Syed Mohammed
7.RehmathBeevi
8.Beema
9.Anwar

... Respondents /
Respondents

Prayer: Civil Miscellaneous Petition filed under Section 39 Rule 1 & 2 of CPC to pass an order of Interim Injunction restraining the 1st respondent/Appellant herein their men, their servants or any one claiming under them from in any manner putting up any construction in the property more fully described in the suit schedule property in



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Re.Sy.No.K1-62 (further it has sub divided as K1-62/1 and K1-62/2) of Colachel Village (Now at Colachel - B) having an extend of 4.106 cents of vacant land pending disposal of the above first appeal and thus render justice.

For Petitioner : Mr.T.Antony Arulraj

For Respondents : Mr.M.Maran

ORDER

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

This Civil Miscellaneous Petition has been taken out by the plaintiff in the suit. The suit was for declaration, mandatory injunction and recovery of possession. The suit was decreed. In the appeal, stay of recovery of possession alone has been granted. The petitioner herein / plaintiff alleges that the appellant is changing the character of the suit property. Photographs enclosed in the typed set of papers bear out this allegation.

2.The learned counsel for the appellant, on instructions, states that no further construction or modification of the property features will be made.



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3.Interim injunction is granted to the extent of the aforesaid undertaking.

4.This Civil Miscellaneous Petition is disposed of accordingly.

[G.R.S., J.] [R.P, J.]

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G.R.SWAMINATHAN, J.

AND

R.POORNIMA, J.

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