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CMA.No.2795 of 2023
& CMP.No.25795 of 2023

N.SESHASAYEE, J.

The appellants herein are the mortgagor/defendants in O.S.No.3346 of 2021 on the file of the XXII Additional City Civil Court. The suit is filed for recovery of mortgaged money. The plaintiff/mortgagee had taken out an application in I.A.No.2 of 2023 for an order of injunction restraining the appellants/defendants from altering the physical features of the property.

2.The learned counsel for the appellants submitted that the appellant had already deposited the principal sum before the City Civil Court and the dispute is all about the interest payable on the said sum. She also submitted that there is no present intent to alter the physical features of the property on the part of the appellants either.

3.The learned counsel added that while things stand thus, the learned counsel for the plaintiff/respondent herein has served an application for initiating action for contempt and also an application for appointing a Commission.

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N.SESHASAYEE, J.

Tsg

4.The trial Court viz., the XXII Additional City Civil Court, Chennai is advised to keep these applications pending as and when they are posted before the Court, for the present.

5.Notice to the respondent returnable by 06.12.2023. Private notice is also permitted. Notice is also directed to the counsel for the respondent before the trial Court.

6.Post the matter on 06.12.2023.

16.11.2023

Tsg

https://www.mhc.tn.gov.in/judis