



C.R.P. (MD) No. 996 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Sixteenth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice P.D.AUDIKESSAVALU

C.R.P. (MD) No. 996 of 2024

and

C.M.P. (MD) No. 5399 of 2024

SHANTHI NATARAJAN

... PETITIONER/ APPELLANT/
PETITIONER/ PLAINTIFF

Vs

1 R.VIJAYARAGHAVAN

2 V.R.ANGAYARKANNI

... RESPONDENTS/RESPONDENTS/
RESPONDENTS/DEFENDANTS

Civil Revision Petition filed under Article 227 of The Constitution of India to set aside the judgement and decree dated 08.08.2023 in CMA.No.10 of 2022 on the file of the Principal District Court, tirunelveli confirming the fair and decreetal order dated 08.12.2021 passed in I.A.No. 1 of 2020 in O.S.No.196 of 2020 on the file of the subordinate Court, tirunelveli and allow the present Civil Revision Petition and thus render justice.

Prayer in CMP(MD). 5399/ 2024 :

To pass an ordeer of injuction restraining the respondents from alienating the petition mentoioned properly in OS.No.196 of 2020 on the file of the Principal District Munsif Court tirunelveli disposal of this appeal and thus render justice.

ORDER : This Civil Revision petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.R.J.KARTHICK, Advocate for the petitioner, the court made the following order:-



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Notice to the Respondents returnable by 07.06.2024. Private notice is also permitted.

2. In view of the Civil Revision Petition, no alienation or creation of third party in possession of the property shall be made by the Petitioner as well as the Respondents without prior permission of the Trial Court until further orders.

3. The pendency of this Civil Revision Petition shall not preclude the Subordinate Court, Tirunelveli, from conducting further proceedings in O.S. No. 196 of 2020 in accordance with law.

4. In view of the doctrine of lis pendens which comes into operation by virtue of Section 52 of the Transfer of Property Act, 1882, no alienation or any form of encumbrance or creation of third party interests or parting with possession or any addition or alteration of the property shall be made either by the Petitioner or by the Respondents without the prior permission of the Trial Court till the ultimate outcome of the decision in that suit.



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Post the matter on 06.06.2024.

sd/-
16/04/2024

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/04/2024

Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB

TO

THE SUBORDINATE JUDGE, TIRUNELVELI.

ORDER

IN

C.R.P. (MD) No. 996 of 2024

and

C.M.P. (MD) No. 5399 of 2024

Date :16/04/2024

RK/JGB(22/04/2024) 3P / 2C

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