

SA(MD) No.731 of 2024

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

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Thursday, the Twelfth day of December Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

SA(MD) No.731 of 2024
AND
CMP(MD)No.17730 of 2024

SUBASHINI **... APPELLANT/ APPELLANT/ PLAINTIFF**

Vs

1 P.SELVARAJ

2 S.PADMAVATHI

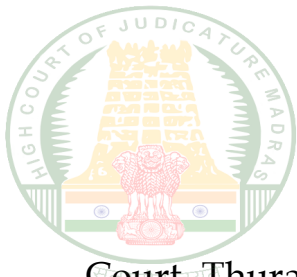
3 PUSHPAVALLI

4 SUJATHA **... RESPONDENTS/RESPONDENTS/
DEFENDANTS**

Second Appeal filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to set aside the Judgment and Decree passed in AS No.7 of 2021 on the file of the First Additional District and Sessions Court (PCR), Tiruchirappalli dated 06.09.2022 confirming the judgment and decree passed in OS No.97 of 2016 on the file of the Sub Court, Thuraiyur dated 04.10.2019 in so far as Item Nos.3 to 6 of the suit properties are concerned and to allow this appeal.

Prayer in CMP(MD). 17730/ 2024 :

To grant Ad Interim Injunction restraining the respondents 1 to 4 from creating any encumbrance in the suit properties in OS No.97 of 2016 on the file of the Sub



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Court, Thuraiyur which is subject matter of the above said Second Appeal, pending disposal of the above Second Appeal

ORDER : This Second Appeal coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.C.JEYAPRAKASH, Advocate for the petitioner, the Court made the following order:-

The learned counsel for the appellant insists for interim injunction by stating that the respondents are intending to alienate the property.

2. It is made clear that since the Second Appeal is pending, any further sale will be subject to the outcome of the Appeal. Therefore, this Court is of the opinion that there is no need for any interim injunction.

3. Notice to the respondents returnable by 21.01.2025. Private notice is also permitted.

4. List on 21.01.2025.

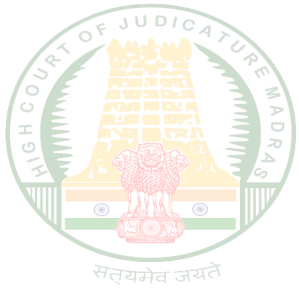
sd/-
12/12/2024

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/12/2024

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

MBI



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- 1 THE FIRST ADDITIONAL DISTRICT
AND SESSIONS JUDGE(PCR), TIRUCHIRAPPALLI.
- 2 THE SUBORDINATE JUDGE,
THURAIYUR.

ORDER
IN
SA(MD) No.731 of 2024
Date :12/12/2024

SS/GSV/SAR- /19/12/2024/ 3P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023