

IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE, HOSUR

Present: Thiru.B.Santhosh B.A.B.L.,

Additional District Judge, Hosur

Monday, the 09th day of June, 2025

IA No.05/2025 in

O.S.No.203/2024

CNR NO TNKI0E-000794-2024

1) M/s.Avigna Amaia Pvt., Ltd.,

Rep.by its Managing Director,

Mr.S.Rajasekaran,

2) M/s. Avigna IRRA Pvt., Ltd.,

Rep. by its Managing Director,

Mr.S.Rajasekaran,

3) M/s. Sapphire Proventures Pvt., Ltd.,

Rep. by Mr.Ajith M.Kulkarni. ...plaintiffs/ Defendants 31, 33 and 34

/Vs/

1) Lakshmamma @ Lakshmi Devi.K,

2) Rukmani, ...Respondents / Plaintiffs

This petition filed on 14.03.2025 and coming on 23.04.2025 finally before me in the presence of Thiru.T.Gopala Reddy, learned counsel for the plaintiffs, and Thiru.P.N.Revanth, learned counsel for the Respondents, and having perused records, and having stood over for consideration, this court delivered the following:-

ORDER

1. Petition seeking interim injunction restraining the plaintiffs their men, persons authorized by them from disturbing the peaceful possession of

suit property by the 31st 33rd and 34th defendants till the disposal of the suit.

2. For the sake of convenience the parties are referred to as they were referred in the Original Suit.

3. The defendants 31,33,34 have filed this petition seeking interim injunction till the disposal of suit.

4. The said Defendants submitted that the suit properties are the joint family properties of the plaintiff and 1st to 8th defendants. Originally the properties of Gudiappa and his family members were partitioned before UDR was issued and the UDR Patta was issued in the name of Ammaiyyakka and Akkaiyamma both wives of Kempaiya and the Patta No.773,774,840 stands in the name of Ammaiyyakkaa and Akkaiyamma. The said Ammaiyyakka and Akkaiyamma sold the property to one Shashikapoor in Doc.No.1261/1985 and Doc.No.1544/1985 and in the said documents the given boundaries it is mentioned that the adjacent properties belong to Gudiappa and Kariyappa. Like wise Gudiappa also sold some property to Shashikapoor in the year of 1996, where in also the boundaries mentioned in the Sale Deed confirms the partition arrangement between Gudiappa and his family members. The Mother of the plaintiffs namely Akkaiyamma executed the Gift Settlement Deed on 19.12.2000 in favor of her son Mahadeva in Doc.No.1767/2000 and delivered possession of the property to him. The said fact was admitted by the plaintiffs and their sisters in the suit in OS.No.132/2003 filed before the

Sub Court, Hosur, and in AS.No.18/2007 filed before the District Court, Krishnagiri. They also executed a ratification deed in Doc.No.1353/2024 on 08.02.2024 for confirmation. The plaintiffs brothers Mahadeva sold the property in Survey No. 846/2B to one Ramanji Reddy in the year of 2009 in Doc No.956/2009. Similarly the plaintiffs brother Mahadeva sold the property in Survey No 775, 776, 780/5, 842/2, 843/1 and 1034/1B to one Manoharan. Similarly, the said plaintiffs brother Mahadeva sold the property in Sy.No.773/2B and 774 to one Thillai Nadhan on 22.05.2015 in Doc.No. 3333/2015. The said Manoharan sold the property purchased by him to one Murali narayanappa and Lokesh on 30.11.2022 in Doc.No. 12996/2022. The said Murali Narayanappa has sold the suit property to the 31st and 33rd defendants and to one Sivakumar by registered Sale Deed on 01.12.2022 in Doc.No. 13043/2022. The said Sivakumar has executed a consent deed dated 01.12.2022 in favor of the 31st , 33rd defendants in respect of the suit property in Doc.No. 13042/2022. The 31st and 33rd defendants sold the same to D-34. Therefore, the 31st ,33rd and 34th defendants are in enjoyment of the suit properties and the revenue records are also transferred in their name. The 5th defendant filed a petition before the District Collector, Krishnagiri that Village Adiministrative Officer Kuthumaranappalli has illegally distributed Patta in the name of 31st and 33rd defendants. The Sub Collector Hosur enquired the matter and found that there is no illegality in issuance of patta and submitted a report on 31.12.2023. The plaintiffs along with the sisters

2nd to 4th and 8th defendants filed a suit in OS.No.62/2022 for the relief of partition, wherein they have admitted that they executed gift settlement deed in favor of the 8th defendant who is their brother Mahadeva and also admitted gift settlement deed in Doc.No. 1767/2000 executed by their mother in favour of their brother Mahadeva.

5. The 1st defendant in OS.No. 62/2022 has filed petition under Order 7 Rule 11 CPC to reject the plaint and same is numbered in IA. No. 04/2023. The plaintiffs in the suit, did not contest the suit and withdrawn the same stating that they will contest the matter in the S.A.No.127/2008 pending before the Honble High Court, madras and therefore the suit was dismissed on 24.01.2001. After the suit in OS No. 62/2022 was withdrawn by them, the second appeal in SA No. 127/2008 was withdrawn by plaintiffs. When the 31st, 33rd and 34th defendants developed the properties by leveling the ground the sisters of the plaintiffs in the present suit have objected the same and they have damaged the JCP Machine and restrained the persons engaged in the work and the said defendants have lodged police complaint and the case was registered in crime No.20/2024 and the against the plaintiffs. The 31st, 33rd, 34th defendants submitted that the police had directed the parties to approach the civil court to workout the remedy. Since the plaintiffs created trouble the Collector has initiated Sec 145 Cr.P.C proceedings and the status quo order was also passed and pending. The plaintiffs after the suit in OS.No.62/2022 have filed the present suit in OS No.230/2024 for the same relief of partition

and therefore the present suit is also barred under the Principles of resjudicata. The 31st, 33rd and 34 defendants have invested huge amounts and they have to employ around 600 people in their company and therefore the balance of convenience is in favour of the 31st, 33rd, 34th defendants and if interim injunction is not granted, the suit property would be damaged, wasted and the investment made by the defendants will be lost and will cause irreparable loss and therefore the 31st, 33rd, and 34th defendants have come forward with this petition seeking interim injunction.

6. The plaintiffs submitted that they deny the averments and allegations raised in the petition. The plaintiffs submitted that 31st, 33rd defendants have filed Civil revision petition in CRP No 2797/2024 before the Honourable High Court of Madras under article 227 of the constitution of India to strike off the plaint. The Honourable High Court of Madras as dismissed the petition on 04.11.2024 with an observation that there was no family partition among the Gudiappa and his family members. The plaintiffs also submitted that the documents executed by Mahadeva in favor of Manoharan, Thillai Naddhan, Murali Narayanappa and the documents executed in favour of the 31, 33, 34th defendants is not valid in law and not binding upon plaintiffs. The plaintiffs also submitted that the 31st, 33rd defendants purchased the property from one of the co owner and therefore they are entitled only for the share of the said co owner. Therefore all the Co-owners have equal shares

in the suit properties and are jointly enjoying the whole property without any division by metes and boundaries. The 31st, 33rd defendants are not having any right in respect of the entire properties. If at all the 31st, 33rd defendant have any right, they are entitled only to the limited extent of the share of Mahadeva. The gift settlement deed executed by the Akkaiyamma in favour of Mahadeva is not valid in law and not binding upon plaintiffs. No co owner is entitled for an order of injunction against another co owner. The earlier suit in OS.No. 62/2022 was withdrawn and now the present suit is filed challenging the documents executed by Akkaiyamma in favour of the 9th defendant. The defendants 1, 9 to 19, 27 to 35 were not parties in the suit in OS.No. 62/2022.

7. The plaintiffs have not executed the gift settlement deed in favour of their brother Mahadevan as they did not follow and understand the same and they have not given their consent for the same. In the suit in Os 62/22 the plaintiffs are the 3rd and 5th plaintiffs along with their sisters and they have stated in the plaint that they have executed the gift settlement deed in favour of Minor.Pranav Teja and Minor. Hema and also stated that they have right of 6/14th share in the suit properties.

8. The alleged registered release deed dated 12.10.2020 Nomen Clature and styled as lease, all its covenants in the deed is in the form of sale and therefore competent authority levied deficit stamp duty for the

instruments and therefore the registered release deed dated 12.10.2020 is a sale and such sale without purchaser signature is null and void . Further the earlier suit in OS.No.62/2022 was withdrawn and S.A.No.1271/2008 was also withdrawn wherein the plaintiffs were not parties and the said fact is considered by the Honble High court of Madras in CRP No.2797/2024. The adjacent properties of S.No.773/2B and Sy.No.774 of Kundhumaranapalli also comprised in these survey numbers sold by the 31st and 33rd defendants to the 34th defendants. Further the developments made by the said defendants is also covered in the suit properties which also belongs to the plaintiffs and 2nd to 8th defendants. Injunction cannot be granted unless the provisions of Order 39 Rule 1 CPC is complied. The defendants cannot invoke Order 39 Rule 1 CPC as the plaintiffs alone can invoke the said provisions for temporary injunction that too when the suit properties is in danger or being wasted, damaged or alienated by any party. Further even though the court can issue an order of temporary injunction if the circumstances do not fall within the provisions of Order 39 CPC, the defendants have not even establish prima facie case in their favour and therefore the averments raised by the said defendants are unsustainable and therefore the plaintiffs sought to dismiss the petition.

9. The 31st, 33rd, 34th defendants have marked Ex.P1 to Ex.P23 on their side. The plaintiffs have marked Ex.R1 to Ex.R57 on their side. Both side did not adduce oral evidence. Heard both sides.

10. Point for consideration:

1) Whether the 31st, 33rd, 34th defendants are entitled to relief of interim injunction as sought for?

11) POINT:

i) Considering the rival submission put forth by either parties this court of the considered opinion that the defendants 31, 33, 34 have filed the petition for the interim injunction restraining the plaintiffs from disturbing their peaceful possession of the suit property till the disposal of the suit. As per the averments stated in the affidavit, the 31st, 33rd, 34th defendants submitted that the suit properties are the joint family properties of the plaintiffs and 1st to 8th defendant. There was a partition in the family of Gudiappa and his family members and thereafter the UDR patta was issued in the name of Ammayakka and Akkayamma who are the wives of Kempaiah. The said Ammayakka and Akkayamma sold some properties to one Sashi Kapoor vide Doc.No.1261/1985. The said Doc.No.1261/1985 as marked as Ex.P-14. In the said Ex.P-14 documents it is seen the boundaries of the property in the East is mentioned as Sy.No.792 land of Akkayamma, West is mentioned as the land in Sy.No.791/1 land of Kempaiah, South is mentioned the land in Sy.No.791/2 land of Gudiappa, and North is mentioned in Sy.No.768 land of Rajappa. Therefore it is seen that the properties between the family members of Gudiappa were partitioned and therefore they were enjoying the said properties separately.

ii) The said Gudiappa also sold some property to the Shashikapoor in the year 1996. The mother of the plaintiff namely Akkayamma has executed a Gift Settlement Deed in favour of the plaintiff's brother Mahadeva on 19.12.2000 in Doc.No.1767/2000 and delivered the possession of the suit properties. The Gift Settlement Deed is marked as Ex.P-15. The said Akkaiamma died which is evident from Ex.R3 death certificate. The plaintiffs and Mahadeva are the legal heirs of Akkaiamma which is evident from Ex.R4 legal heir certificate of Akkaiamma. Thereafter the said Mahadeva sold the property in Sy.No.846/2B in favour of Ramanji Reddy in the year 2009 in Doc.No.956/2009 which is marked as Ex.P-16. Similarly the plaintiff brother Mahadeva sold the property in Sy.No.775, 776, 785/5, 842/2, 843/1 and 1034/1B to one Manoharan. Similarly the said Mahadeva sold the property in Sy.No.773/2B and Sy.No.774 in favour of one Thilainathan in Doc.No.3333/2015 on 22.05.2015. The said document is marked as Ex.P-17. The said Mahadeva died leaving behind his son and daughter which is evident from Ex.R5 death certificate and Ex.R6 legal heir certificate. The property purchased by the said Manoharan were sold to Muralinarayanappa and Lokesh vide Doc.No.12996/2022 on 30.11.2022 and the said document is marked as Ex.P-21. The said Muralinarayanappa sold the suit property to the 31, 33, 34 defendants and one Sivakumar, who has confirmed a Sale Deed on 01.12.2022 in Doc.No.13043/2022 and the said document is marked as Ex.P-22. The said Sivakumar has executed a Consent Deed in favour of 31, 33

defendants in respect of suit property which is marked as Ex.P-23. After the purchase of suit property and other properties, the 31, 33, 34 defendant mutated the revenue records in their names and the same is marked as Ex.P-1 patta, Ex.R47 computer generated chitta, Ex.P-2 and Ex.R51 Adangal and Ex.P-3 Kist receipts. Therefore from the above said documents it is prima facie evident that the 31, 33, 34 defendants purchased the suit property vide registered Sale Deeds and they are in possession and enjoyment of the suit properties which is evident from the Ex.P-1 to Ex.P-3 revenue records.

iii) The 5th defendant has challenged the patta issued in favour of the 31, 33, 34 defendants by filing petition before the District Collector, Krishnagiri alleging that Village Administrative Officer of Kundhumaranapalli Village as illegally issued patta for the suit property in the name of the said defendants. The Sub Collector, Hosur has enquired in to the matter and found that there is no illegality in patta transfer proceedings and she has submitted the report dated 13.12.2023 which is marked as Ex.P-7. In the said Ex.P-7 also it is prima facie evident that the 31, 33, 34 defendants are in possession of the suit property. Further the Tamilnadu Pollution Control Bureau as also given consent order dated 18.02.2025 in favour of the 31, 33, 34 defendants to establish industries. The said consent order is marked as Ex.P-9 and Ex.P-10. The Tamilnadu Fire Services and the Tahsildar, Hosur have also given No Objection letter to the 31, 33, 34

defendants to establish industries and the No Objection letter is marked as Ex.P-11 and Ex.P-12 respectively.

iv) The plaintiff herein and their sisters have filed the suit before this court in OS No.62/2022 for the relief of partition in respect of their family properties. The plaint copy of the suit in OS No.62/2022 is marked as Ex.P-13 and Ex.R9. The said suit was withdrawn by the plaintiff and therefore the suit was dismissed as not pressed on 24.01.2024 which is evident from Ex.R10 withdrawal order. In the said suit the plaintiff have not obtained permission to file fresh suit on the same cause of action. The said suit in OS No.62/2022 was filed for the relief of partition where in the plaintiff herein are the 3rd and 5th plaintiff in the said suit. In the suit in OS No.62/2022 filed by the plaintiffs and their sisters they have specifically admitted that Akkayamma has executed Registered Release Deed in favour of their brother Mahadeva in Doc.No.1767/2000 on 19.12.2000. Similarly, they have also admitted that they have also executed a Registered Gift Settlement Deed in favour of the sons and daughters of the plaintiff brother Mahadeva on 12.10.2020 in Doc.No.6896/2020 which is marked as Ex.P-18. The plaintiff and their sisters have not challenged the Gift Settlement Deed executed by Akkayamma, Chandra, Lakshamma, who are the wives and daughters of Kempaiah. They have filed in suit OS No.132/2003 against Akkayamma and 8 others wherein the plaintiff herein namely Lakshamma, Rukmani are the

5th and 6th defendants in the suit. The plaint copy is marked as Ex.R11, the written statement copy is marked is Ex.R12, the Judgment copy passed in the said suit is marked as Ex.R13. The said son and daughter of Lakshamma have also admitted in the plaint in OS No.132/2003 that on 19.12.2000, the 1st defendant namely Akkayamma in the said suit executed Gift Settlement Deed in favour of the 2nd defendant namely Mahadeva in the said suit and Gifted the suit properties in favour of 2nd defendant. In the said suit in OS No.132/2003, the 5th and 6th plaintiff who are the plaintiff herein have filed written statement wherein they have admitted that the 1st defendant therein namely Akkayamma has executed the Gift Deed in favour of the 2nd defendant Mahadeva in the said suit and delivered the said property Gifted to him and the 2nd defendant is the possession of the property covered in the Gift Deed and also revenue records were also transferred in his name. Therefore from the said suits in OS No.132/2003 and OS No.62/2022 it is prima facie evident that the plaintiff were aware of the Registered Release Deed executed by the said Akkayamma in favour of the plaintiff brother Mahadeva on 19.12.2000 in Doc.No.1767/2000 which is marked as Ex.P-15. The defendants in the said suit have filed an appeal in AS No.19/2007, which is evident from Ex.R14 memorandum of appeal. The appeal was dismissed for nonjoinder of necessary parties alone which is evident from Ex.R15 Judgment copy. The parties have preferred second appeal in SA No.1271/2008 before the Honble High Court of Madras which is evident from

Ex.R16 memorandum of appeal. The said second appeal was also withdrawn which is evident from Ex.R48 withdrawal order. Therefore the plaintiffs are prima facie estopped from denying the said fact in the present suit.

v) The plaintiff submitted that the 31 and 33 defendants filed a Civil Revision Petition in CRP No.2797/2024 under Article 227 of the Constitution of India before the Hon'ble High Court of Madras to stick off the plaint in this suit. The Hon'ble High Court of Madras was pleased to dismiss the said petition on 04.11.2024, wherein it has observed that there was no family partition in the family of Gudiappa. Further the plaintiff also submitted that if at all the 31, 33, 34 defendants have any right in the suit property they are entitled only for the share of the plaintiff brother Mahadeva and they cannot claim right over the entire property. Further the plaintiffs submitted that the earlier suit in OS No.62/2022 was withdrawn and now the fresh suit was filed challenging all the documents executed by Akkayamma in favour of the plaintiff brother Mahadeva, and further most of the parties left out in the said suit are added in the present suit and therefore it necessitated to file fresh suit including all the parties and claiming all the reliefs challenging all the documents. Further, the plaintiff also submitted that the 31, 33, 34 defendants being co shares or co owners cannot claim injunction order against other co owner, and further the defendants can filed application for injunction under Order 39 Rule 1 of CPC and they cannot invoke under Order 39 Rule 2 and 3 of CPC.

vi) The plaintiff submitted that the earlier suit in OS No.62/2022 was withdrawn and now the present suit was filed challenging the documents executed by Akkayamma in favour of the Mahadeva and further some other defendants were also added in the present suit, who are not party to the earlier suit in OS No.62/2022. The plaintiff admitted in the earlier suit in OS No.62/2022 that the plaintiff and their sisters have executed Ex.P-18 Registered Release Deed in favour of the sons and daughters of the Mahadeva and their mother Akkayamma had executed Ex.P-15 Registered Gift Deed in favour of Mahadeva on 19.12.2000 and therefore the plaintiff herein are estopped from challenging the said documents in the present suit. Moreover the plaintiffs have not sought the permission of this court to withdraw the earlier suit with the permission to file fresh suit for same cause of action.

vii) The plaintiff also submitted that the co owner cannot claim an injunction order against the another co owner and 31, 33, 34 defendants are entitled only to the share of the said Mahadeva and not to the entire properties. The learned counsel for the plaintiffs referred to the Judgment of the *Hon'ble High Court of Madras in Rukmani and others vs Thirumalai Chettiyar*, *Hon'ble Supreme Court of India in Gajara vishnu gosavi vs Prakash Nana Saheb Kamble and others reported in (2009) 10 SCC 654*, *the Honble High Court of Madhyapradesh in Lalitha James and others Vs Ajithkumar and others reported in ILR Madhya pradesh series 419*, and the

Judgment of Honble Supreme Court of India in Ramdas Vs Seetha Bhai and others reported in AIR (2009) SC 2735 and the Judgment of Honble Supreme Court of India in SK. Golam Lalshanth Vs Nandhu Lal Shaw @ Nandhu Lal Keshri @ Nandhu reported in (2024) SCC online SC 2456 in support of his contention. The plaintiff in their counter also admitted that the 31, 33, 34 defendants purchased from their vendor who have purchased from one of the co owner of the joint family members including the shares of other co-parceners who are legal heirs of Kempaiah. Further the plaintiff also admitted in their counter that if at all the 31, 33 defendants have any right, they are entitled only to the limited extent of share of Mahadeva. Therefore the plaintiff admitted that the 31, 33, defendants have right in the suit property as they have purchased the said property under Ex.P-22 Registered Sale Deed. Therefore it is the prima facie evident that the 31, 33, and 34 defendants are the bonafide purchasers of the suit property. Apart from that the plaintiffs themselves had executed Ex.P18 registered release deed in favour of the son and daughter of Mahadeva on 12.10.2020 in Doc.No.6896/2020. The plaintiffs have also admitted that their mother Akkaiamma also executed registered gift settlement deed in favour of the said Mahadeva on 19.12.2000 in Doc.No.1767/2000. The plaintiffs have not challenged the above 2 documents in the earlier 2 suits in OS.No.132/2003 and in OS.No.62/2022. Even in the said suits the plaintiffs herein admitted the execution of the above said two documents in favour of Mahadeva and his

son and daughter. When the plaintiffs themselves admitted the execution of registered release deed in favour of son and daughter of Mahadeva, they cannot deny the said fact in the present suit and unless the properties of Gudiappa and his family were partitioned, the plaintiffs would not have executed the said registered release deed in favour of son and daughter of Mahadeva. Apart from that the 1st defendant Lakkamma also sold some of the properties in favour of other defendants which is evident from Ex.R37 in Doc.No.12995/2022, Ex.R38 in Doc.No.12996/2022, Ex.R46 in Doc.No.1353/2024. Therefore the Judgments referred above by the learned counsel for the plaintiffs does not apply to the facts and circumstances of the case as it is prima facie evident the plaintiffs were also in separate possession of their respective properties.

viii) The learned counsel for the plaintiffs also submitted that the said Akkaiaamma had executed the gift deed in favour of Mahadeva on 19.12.2000 in Doc.No.1767/2000 without the prior consent of co sharers and therefore being alleged gift deed in not valid in law. *The learned counsel also referred to the Judgment of Thamma Venkata Subbamma Vs Thamma Rathamma and others reported in (1987) 3 SCC 294 and the Judgment of Honble High Court of Madras in Kalavathi Vs Sriramalu Naidu and others reported in 2023 (5) CTC 598 in support of his contention.* It is not disputed that Ammaiyaakka and Akkaiaamma are the wives of Kempaiah. The said

Akkaiaamma sold some properties to one Shashikapoor in Doc.No.1261/1985 which is marked as Ex.P14 and in Doc.No.1544/1985 wherein it is seen that the lands on the boundaries belonged to Gudiappa and Kariyappa. The said fact is not disputed by the plaintiffs. The plaintiffs also admitted the execution of the gift settlement deed by Akkaiaamma in favour of Mahadeva and there is prima facie no evidence to show that the said Akkaiaamma executed the gift settlement deed in favour of Mahadeva without the consent of the co sharers. Further the question of partition took place earlier among the family members of Gudiappa and the consent of co-sharers has to be decided only at the final disposal of the case and the same cannot be decided in their petition and therefore the Judgments referred by the learned counsel for the plaintiffs also does not apply to the facts and circumstances of the case.

ix) The plaintiff submitted that the 31, 33, 34 defendants can file the petition only under Order 39 Rule 1 CPC and they cannot invoke Order 39 Rule 2, 3 of CPC as the same was available only to the plaintiff and not to the defendants. The Order 39 Rule 1 of CPC can be invoked when the suit property is the danger, wasted or damaged or alienated by any party to the suit or wrongfully sold in execution of a decree. The 31, 33, 34 defendants have obtained consent order, No objection letters to established industries from various Government authorities and revenue records were also transferred in their name and they are in possession and enjoyment of the suit property. But

the 31, 33, 34 defendants were not able to established industries and not able to start their development work at ground level due to the interference of the plaintiff and their people, which is also evident from the Ex.P-8 Sec.145 of Cr.P.C., proceedings, despite getting consent order and No objection certificate from the Government Authorities. If the property is not developed by the 31, 33, 34 defendants, the property would be wasted and the said defendants would incurred heavy damage and irreparable loss. Therefore the petition filed under Order 39 Rule 1 of CPC is sustainable. Apart from that the Hon'ble Supreme Court in the case of Manohar Lal Chopra Vs. Rai Bahadur Rao Raja Seth Hiralal, as held that there is no prohibition in Sec.94 CPC to issue temporary injunction in the circumstances not covered under Order 39 or by any Rules made under the CPC. It is well settled that the provision of the CPC is not exhaustive for the simple reason that the legislative is incapable of contemplating all the possible circumstances which may arise in future litigation and consequently for providing the procedure for them. In the light of the said judgment also it is seen that the 31, 33, 34 defendants have been prevented by the plaintiffs and their men from making any development work despite they have purchased the suit property and therefore the said defendants will be put into irreparable loss if the interim injunction order is not granted.

x) On perusal of the document it is seen that the 31, 33, 34

defendants have purchased the suit property vide registered Sale Deed which is marked as Ex.P-22 and Ex.P-23. The revenue records were also stands in their name which is evident from Ex.P-1 patta, Ex.P-2 Adangal and Ex.P-3 Kist Receipts. The 31, 33, 34 defendants possession of the suit property is also prima facie evident from report submitted by the Sub Collector which is marked as Ex.P-7. Further it is also evident from the consent order to established industries and No objection letter given by the Fire Services and Tahsildar which is marked as Ex.P-11 and Ex.P-12 that the 31, 33, 34th defendant are in possession and enjoyment of the suit property. The District Collector conducted proceedings under Sec.145 Cr.P.C. as trouble was erupted in the suit property as the plaintiffs have blocked the work started by the 31, 33, 34th defendant. After the enquiry, the District Collector has passed Status quo order and directed the parties to approach the civil court for appropriate remedy. The proceedings of Sub Collector under Sec.145 Cr.P.C. is marked as Ex.P-8. Therefore it is clear from the above documents that the plaintiff are disturbing the peaceful possession of the 31, 33, 34 defendants in the suit property and therefore it necessitated the District Collector to pass the status quo order to maintain peace in the suit property. If the plaintiffs disturb the peaceful possession of the 31, 33, 34 defendant in the suit property, the 31, 33, 34th defendant would be put into irreparable loss as they have obtained necessary permission from the Government Authorities to establish industries and they have also invested huge amount in the suit property for the

developmental work at the ground level and therefore the balance of convenience is in favour of the 31, 33, 34th defendants.

In the result this petition is allowed. Temporary injunction is granted restraining the plaintiffs, their men, agents and any other persons authorized by them from disturbing the 31st, 33rd and 34th defendants peaceful possession of the suit properties in any manner till the disposal of suit. No Cost.

Dictated to Stenographer, typed by him, corrected and pronounced by me in the open court this the 09th day of June, 2025.

Additional District Judge,
Hosur.

Annexure:

Petitioner side witness: -Nil-

Pettitioner side Exhibits:

Sl.No.	Exhibits	Description of documents
1	Ex.P-1	Copy of Chitta for Patta No.8585, 8614, 8540 and 9132
2	Ex.P-2	True copy of Adangal extract for Fasali year 1434
3	Ex.P-3	Original Kist Receipts
4	Ex.P-4	Copy of Plain copy in OS No.132/2003
5	Ex.P-5	Copy of written statement in OS No.132/2003
6	Ex.P-6	Copy of Appeal Petition
7	Ex.P-7	True copy of Sub Collector proceedings
8	Ex.P-8	Copy of Order passed by the Sub Collector under Sec.145 Cr.P.C.
9	Ex.P-9	Copy of Consent order dated 18.02.2025
10	Ex.P-10	Copy of Consent order dated 18.02.2025

11	Ex.P-11	Copy of No objection from Fire Service
12	Ex.P-12	Copy of No objection letter from 01.03.2023
13	Ex.P-13	Copy of plaint copy in OS No.82/2023
14	Ex.P-14	Copy of Sale Deed in Doc.No.1261/1985 dated 22.04.1985
15	Ex.P-15	Certified copy of Gift Deed in Doc.No.1767/2000 dated 19.12.2000
16	Ex.P-16	Certified copy of Sale Deed in Doc.No.956/2009 dated 20.05.2009
17	Ex.P-17	Certified copy of Sale Deed in Doc.No.3333/2015 dated 22.05.2015
18	Ex.P-18	Certified copy of Release Deed Doc.No.6896/2020
19	Ex.P-19	Certified copy of Gift Settlement Deed Doc.No.9511/2020 dated 24.12.2020
20	Ex.P-20	Certified copy of Sale Deed Doc.No.12995/2022 dated 30.11.2022
21	Ex.P-21	Certified copy of Sale Deed in Doc.No.12996/2022 dated 30.11.2022
22	Ex.P-22	Certified copy of Sale Deed in Doc.No.13043/2022 dated 01.12.2022
23	Ex.P-23	Certified copy of Consent Deed in Doc.No.13042/2022 dated 01.12.2022

Respondent side witness : -Nil-

Respondent side Exhibits :

Sl.N o.	Exhibits	Description of documents
1	Ex.R-1	Copy of Old Adangal
2	Ex.R-2	Copy of UDR A Registered
3	Ex.R-3	Copy of Death certificate of Akkaiyamma
4	Ex.R-4	Copy of Legal heirs of Akkayamma
5	Ex.R-5	Copy of Death certificate of Mahadeva
6	Ex.R-6	Copy of Legal heirs of Mahadeva

7	Ex.R-7	Copy of Death certificate of Soodamma
8	Ex.R-8	Copy of Death certificate of Kottappa
9	Ex.R-9	Copy of Plaint copy in OS No.62/2022
10	Ex.R-10	On line copy of judgment in OS No. 62/2022
11	Ex.R-11	Copy of Plaint copy in OS No.132/2003
12	Ex.R-12	Copy of Written statement in OS No.132/2003
13	Ex.R-13	Copy of Judgment in OS No.132/2003
14	Ex.R-14	Copy of Appeal Memorandum of AS No.19/2007
15	Ex.R-15	Copy of Decree and judgment in AS No.19/2007
16	Ex.R-16	Copy of Memorandum of Appeal in SA No.1271/2008 against AS No.19/2007 - OS No.132/2003
17	Ex.R-17	Copy of CMP No.25280/2023 petition to add parties in SA No.1271/2008
18	Ex.R-18	Copy of CMP No.25511/2023 to transpose the parties as 4 and 5 appellant
19	Ex.R-19	Copy of Sale Deed in Doc.No.1261/1985
20	Ex.R-20	Copy of Gift Settlement Deed in Doc.No.268/1996
21	Ex.R-21	Copy of Gift Settlement Deed in Doc.No.1767/2000
22	Ex.R-22	Copy of Registered Sale Deed in Doc.No.1080/2005
23	Ex.R-23	Copy of Sale Deed in Doc.No.6150/2007
24	Ex.R-24	Copy of Sale Deed in Doc.No.2464/2008
25	Ex.R-25	Certified copy of Sale Deed in Doc.No.4419/2008
26	Ex.R-26	Certified copy of Sale Deed in Doc.No.956/2009 Mahadeva to D-20 Ramaiah Reddy
27	Ex.R-27	Certified copy of Sale Deed in Doc.No.2568/2009 Mahadeva to D-22 Lokesh
28	Ex.R-28	Certified copy of Sale Deed Doc.No.5593/2010 D-11, D-12, D-15, D-16 to D-17
29	Ex.R-29	Certified copy of Sale Deed in Doc.No.2317/2011 D-11, D-12, D-15, D-16 to D-18
30	Ex.R-30	Certified copy Sale Deed in Doc.No.2557/2013 D-18 to D-19
31	Ex.R-31	Certified copy of Sale Deed in Doc.No.3333/2015 Mahadeva to D-23

32	Ex.R-32	Copy of Sale Deed in Doc.No.7473/2015 Mahadeva to D-24
33	Ex.R-33	Certified copy of Release Deed in Doc.No.6896/2020 D-2, D-3, D-4, D-5, D-8 to D-6, D-7
34	Ex.R-34	Certified copy of Gift Deed in Doc.No.9514/2020 D-22 to D-21
35	Ex.R-35	Certified copy of General Power of Attorney in Doc.No.12992/2022 D-21 to D-27
36	Ex.R-36	Certified copy of General Power of Attorney Doc.No.12994/2022, D-24, D-25, D-26 to D-22
37	Ex.R-37	Certified copy of Sale Deed in Doc.No.12995/2022 D-1, D-27, D-28, D-29 to D-31
38	Ex.R-38	Certified copy of Sale Deed in Doc.No.12996/2022 D-1, D-22, D-28 to D-27
39	Ex.R-39	Certified copy of Consent Deed in Doc.No.13042/2022 D-30 to D-31
40	Ex.R-40	Certified copy of Sale Deed in Doc.No.13043/2022 D-27, D-30 to D-31
41	Ex.R-41	Certified copy of Sale Deed in Doc.No.34/2023 D-31 to D-32
42	Ex.R-42	Certified copy of Sale Deed in Doc.No.3410/2023 D-32 to D-31
43	Ex.R-43	Certified copy of Sale Deed in Doc.No.5247/2023 D-23 to D-33
44	Ex.R-44	Certified copy of Sale Deed in Doc.No.7138/2023 D-33 to D-34
45	Ex.R-45	Certified copy of mortgage without possession Deed in Doc.No.8849/2022 D-31 to D-35
46	Ex.R-46	Certified copy of Rectification Deed in Doc.No.1353/2024 D-1, D-28, D-29, D-30 to D-33
47	Ex.R-47	Computerized Generated Chitta for the suit survey numbers
48	Ex.R-48	Online copy of judgment in SA No.1271/2008
49	Ex.R-49	Online copy of Encumbrance Certificate since 01.01.1975 to 15.03.2024
50	Ex.R-50	Online copy of Guideline value for the suit properties

51	Ex.R-51	Original Adangal for D-31, D-32
52	Ex.R-52	Original Village Administrative Certificate
53	Ex.R-53	Copy of Condone Delay petition before the Hon'ble High Court to file CRP against under Sec.145 Cr.P.C. proceedings
54	Ex.R-54	Copy of FIR in Cr.No.20/2024 to D-31, D-33 against plaintiff
55	Ex.R-55	Copy of FIR in Cr.No.21/2024 to D-31, D-32 against plaintiff
56	Ex.R-56	Copy of Sub Collector Proceeding under Sec.145 Cr.P.C
57	Ex.R-57	Photo copy of suit property

Additional District Judge,
Hosur.