

IN THE COURT OF THE PRL. JUNIOR CIVIL JUDGE :: PILER

PRESENT : **Smt S. JYOTHI**,
Prl. Junior Civil Judge, Piler.

Monday, the Twentieth (20th) day of February, 2023.

O.S.No. 228 OF 2021

Between :

Kapuluru Jyothsna Devi

..

Plaintiff

And :

1. P. Somu,
2. P. Nageswara,
3. P. Thathaiah.

..

Defendants

This suit is coming before me for hearing on 30.01.2023 in the presence of Sri M. Madhu Sudhana Reddy, Advocate for Plaintiff and the defendants are called absent and set exparte, upon hearing the counsel for plaintiff, upon perusing the material papers on record and having stood over for consideration till this day, this court delivered the following :

J U D G M E N T

1. This is a suit filed by plaintiff for grant of permanent injunction restraining the defendants and their men from any way interfering with the peaceful possession and enjoyment of the plaintiff in respect of plaint schedule properties and for costs of the suit.

2. The brief averments in the plaint are as follows :

(a) The plaint schedule property originally belonged to Saik Mahaboob Basha and on 7.8.2018, the plaintiff purchased the plaint schedule property from him for a valid consideration under a registered Sale Deed, since then, the plaintiff is in exclusive possession and enjoyment of the same. It is further contended that the plaintiff got mutated her name in the revenue records for suit schedule property along with other properties and the revenue authorities have issued e- Pattadar Passbook in favour of plaintiff and issued revenue records.

(b) It is further contended that the defendants having no manner of right, title and possession over the plaint schedule property tried to enter into the

plaint schedule property and the plaintiff has resisted their highhanded acts with the help of her family members and villagers. It is further contended that the defendants and their men went away from the suit property, threatening the plaintiff and his family members that they will occupy the suit property. Hence, the plaintiff constrained to file the present suit.

3. Perused the record, summons were served to the defendants. In spite of giving opportunity to file the Written Statement, the defendants failed to file the same. The defendants are called absent, no representation, hence they are set exparte and the case was posted for plaintiff side evidence.

4. The plaintiff filed chief examination affidavit as P.W.1 by reiterating the contents of plaint and got marked Exs.A1 to A4.

5. Heard the learned counsel for plaintiff, perused the record.

6. Now the point for determination is :

"Whether the plaintiff is entitled for grant of permanent injunction in respect of plaint schedule property?"

7. **POINT :**

To prove suit claim, the plaintiff herself is examined as P.W.1 and got marked Exs.A.1 to A.4. Ex.A.1 is the registration copy of Sale Deed dt.7.8.2018, Ex.A.2 is the e-Pattadar passbook in the name of plaintiff, Ex.A.3 is the 1-B Namuna (ROR) dt.18.6.2021 in the name of plaintiff, and Ex.A.4 is the Adangal Pahanies dt.18.9.2021 in the name of plaintiff, which shows the possession and title of the plaintiff over the plaint schedule property. After filing of the suit also, defendants have not shown any interest to contest the suit filed by plaintiff and they remained exparte. Hence, the evidence of P.W.1 and Exs.A.1 to A.4 remained unchallenged. All these prima facie proved the stand of plaintiff. The documents supporting the contention of the plaintiff that she is in possession and enjoyment of the plaint schedule property. Therefore, the plaintiff is in possession and enjoyment as on the date of filing of the suit and she is entitled

for permanent injunction restraining the defendants. The point is answered in favour of plaintiff and against the defendants.

8. In the result, the suit is decreed with costs granting permanent injunction restraining the defendants and their men from interfering with the plaintiff's peaceful possession and enjoyment of the plaint schedule property.

Typed to my dictation to Personal Assistant, corrected and pronounced by me in open Court on this the 20th day of February, 2023.

Sd/- S. JYOTHI
PRL. JUNIOR CIVIL JUDGE,
PILER.

APPENDIX OF EVIDENCE
WITNESSES EXAMINED FOR

PLAINTIFF :

P.W.1 : K. Jyothsna Devi

DEFENDANTS :

None (Exparte).

EXHIBITS MARKED FOR

PLAINTIFF :

Ex.A.1: Registration copy of the Sale Deed dt.7.8.2018 executed by S. Mahaboob Saheb in favour of plaintiff.

Ex.A.2: Original e-Pattadar passbook stands in the name of plaintiff.

Ex.A.3: 1-B Namuna (ROR) dt.18.6.2021 obtained through mee-Seva stands in the name of plaintiff.

Ex.A.4: Adangal Pahanis (3 in no.) dt.18.9.2021 obtained through Grama Sachivalayam stands in the name of plaintiff.

DEFENDANTS : Nil (Exparte)

Sd/- SJ
PJCJ, PLR.