

IN THE COURT OF THE ADDITIONAL MUNSIFF, CHERTHALA

Present: Sri. Mahesh. M., Additional Munsiff

Tuesday, the 22nd day of October, 2024/ 30th Aaswinam, 1946.

IA No.01/2024 in O.S. No. 628/2024

(Filed on 22.10.2024)

Petitioners/Plaintiffs:-

1. Lilly Antony, aged 95,
W/o Antony Abraham, Kuttisseri Veettil,
Glass Factory Road, South Kalamassery. P O,
Thrikkakkara North Village, Kanayannur Taluk,
Ernakulam District.
2. Benadict Abraham, aged 64,
S/o Antony Abraham, Kuttisseri Veettil,
Glass Factory Road, South Kalamassery P O,
Thrikkakkara North Village, Kanayannur Taluk,
Ernakulam District.

**By Adv. Joji.K Antony, Adv. Salini K.G &
Adv.Mimitha S Pillai**

Cr. Petitioners /Defendants:-

1. St. Francis Xavier Church, Eramallur P O,
Ezhupunna Village, Cherthala Taluk,
Represented by its Vicar
2. St. Francis Xavier Church, Eramallur P O,
Ezhupunna Village, Cherthala Taluk,
Represented by its Trustee
3. St. Francis Xavier Church, Eramallur P O,
Ezhupunna Village, Cherthala Taluk,
Represented by its Trustee

This injunction petition having been heard on 22.10.2024 and the court on the same day passed the following:-

ORDER

Heard the counsel for the plaintiffs/petitioners. No caveat is reportedly pending. Perused the records. The accompanying affidavit discloses a prima facie case. I am satisfied that if the notice is issued before granting the injunction, the resultant delay would defeat the purpose of granting the injunction. Further I believe that if injunction is not granted irreparable injury will be caused to the plaintiffs/petitioners.

Hence, the defendants and any one acting under them are restrained from making any further constructions in the plaint schedule properties and also from obstructing the peaceful enjoyment of plaintiff over Plaint Schedule Properties until further orders. Comply with Provisos (a) and (b) to Order 39 Rule 3. Issue notice to the respondents. Return of notice by 11.11.2024.

(Pronounced by me in the open court on this the 22nd day of October, 2024.)

Sd/-
MAHESH M.
ADDITIONAL MUNSIFF

APPENDIX :- NIL

Sd/-
ADDITIONAL MUNSIFF