

IN THE COURT OF THE MUNSIFF, KAYAMKULAM

Present: Smt.Aneesa.A, Munsiff

Saturday the 7th day of December 2024/16th Agrahayana, 1946

IA. 1/2024 in ORIGINAL SUIT.383/2024

(Filed on 07.12.2024)

Petitioners/

Original Plaintiffs:

1. Guru Nithyachaithanya yathi Educational and Charitable Trust Reg. No. A 736/2001,
Guru Nithyachaithanya yathi
College of Law and Research Center Campus,
Karuvattumkuzhi muri,
Keerikkad Village,
Karthikappally Taluk,
Alappuzha District,
Rep. By Managing Trustee,
P.T. Anilkumar, aged 60 yrs,
S/o. Late Thankappan,
Greenview,
Karuvattumkuzhi Muri,
Keerikkad Village,
Karthikappally Taluk,
Alappuzha District.

2. P.T Anilkumar, aged 60 yrs,
S/o. Late Thankappan,
Greenview,
Karuvattumkuzhi Muri,
Keerikkad Village,
Karthikappally Taluk,
Alappuzha District.

3. Principal,
Guru Nithyachaithanya yathi
Educational and Charitable Trust
Reg. No. A 736/2001,
Guru Nithyachaithanya yathi
College of Law and Research Center Campus,
Karuvattumkuzhi muri,
Keerikkad Village,
Karthikappally Taluk,
Alappuzha District,
Dr. Anna V. Puthooran, aged 46 yrs,
D/o. Susanna Varghese,
Puthooran House,
Eranakulam.

(By Adv.C.D.Anil)

**Cr. Petitioners/
Original Defendants:**

1. Chief Manager,
Asset Recovery Management Branch,
(A.R.M Branch), Canara Bank,
2nd floor Canara Bank Building,
Chittoor Road, Ernakulam South,
Ernakulam 682 016.

2. Authorised officer,
Asset Recovery Management Branch,
(A.R.M Branch) Canara Bank,
2nd Floor Canara Bank Building,
Chittoor Road, Ernakulam South
Ernakulam 682 016.

This petition is filed Under Order 39 Rule 1 and 2 of the Civil Procedure Code and coming on for hearing on 07.12.2024 and the court on the same day passed the following.

ORDER

Heard the petitioner.

Perused the affidavit in support of injunction petition, plaint and documents. I am satisfied that a prima facie case is made out justifying the grant of an ad-interim order of injunction. Prima facie, the balance of

convenience is found in favour of the petitioner. If interim order is not granted, irreparable injury is likely to be caused to the petitioner. Delay in sending the notice will defeat the object of granting the relief. Hence an ad-interim order for injunction is passed restraining the respondents and men under them from obstructing the transportation through plaint 'C' schedule pathway to plaint A schedule or locking the gate installed on the southern boundary of plaint 'B' schedule in such a way to cause obstruction to 'C' schedule pathway or altering plaint 'C' schedule pathway until further orders.

Comply Order XXXIX, Rule 3 Proviso(a). issue order and notice to the respondents. For return of notice. Adjourned to 03.01.2025.

(Pronounced by me in open Court on 7th day of December, 2024)

Sd/-
ANEESA.A
MUNSIFF

APPENDIX:

Nil.

Sd/-
MUNSIFF

// True copy //

MUNSIFF

Typed by :Shafeek.
Compd by:

Order in IA.1/2024 in
OS.383/2024 dtd.07.12.2024