

IN THE COURT OF DISTRICT JUDGE, ERNAKULAM

Present:

Smt.Honey M.Varghese, District Judge

Friday, the 9th day of January, 2026/19th Pousha, 1947

I.A No.1 of 2026 in C.M.A.No.2 of 2026

Petitioner/Appellant:-

Babu K.K., aged 60 years, S/o late Kuttan, Kalayil House, Kulayettikkara P.O., Kulayettikkara Village, Kanayannur Taluk, Ernakulam District now residing at Kalayil House, Keecherry Village, Kanayannur Taluk, Ernakulam.

By Advs.Varghese C Kuriakose, Ranimol M.T, Haritha Raju,
Krishnapriya M.S and Anjana Jose.

Respondents/Respondents:-

1. Surendran, aged 62 years, S/o Late Kuttan, Kalayil House, Kulayettikkara P.O., Kulayettikkara Village, Kanayannur Taluk, Ernakulam District.
2. Leela, aged 67 years, D/o Late Kuttan, Kalayil House (Thollikara Malayil House), Kulayettikkara P.O., Kulayettikkara Village, Kanayannur Taluk, Ernakulam District.
3. Charudathan, aged 46 years, S/o Late Kumaran, Kalayil House, Kulayettikkara P.O., Kulayettikkara Village, Kanayannur Taluk, Ernakulam District.
4. Chitra, aged 39 years, D/o Late Kumaran, Kalayil House, Kulayettikkara P.O., Kulayettikkara Village, Kanayannur Taluk, Ernakulam District.

This petition is filed under Order XXXIX Rule 1 and 2 r/w Section 151 of the Code of Civil Procedure, praying this court to pass an order of temporary injunction restraining the respondents from trespassing into the plaint A schedule property and from making use of the same for any purpose and from committing acts of waste thereon, till the disposal of the appeal.

This petition is coming on for hearing before me on 09.01.2026 and the court on the same day passed the following:-

ORDER

Heard the counsel for the petitioner and perused the affidavit and documents produced by the petitioner. I am satisfied that the petitioner has got a prima facie case. I am further satisfied that issuance of prior notice will defeat the purpose of the petition due to delay.

Hence interim injunction is granted restraining the respondents from trespassing into the plaint 'A' schedule property and from making use of the same for any purpose and from committing acts of waste thereon, until 28/02/2026.

Issue interim injunction and notice. Comply order 39 Rule 3 (a). For return of notice to 28/02/2026.

Pronounced by me in open court on this the 09th day of January, 2026.

Sd/-

Honey M.Varghese
District Judge

sk/-
Comp.by

I.A No.1 of 2026 in
C.M.A. No.2 of 2026
Order dated: 09.01.2026