

**IN THE COURT OF SUB JUDGE, KOCHI - 5**

**Present :**

**Sri. Rajesh.R, Sub Judge, Kochi**

Friday, the 16<sup>th</sup> day of October, 2020 /24<sup>th</sup> Aswina, 1942.

**I A No. 1/2020 in A.S. No. 41/2020**

**Petitioners/Appellants-**

1. Kumbalangi Pulaya Samajam, Kumbalangi P.O., Kochi-682 007, rep. By its President Viswambaran, aged 57 years, S/o Maran, Alumparambil House, Kumbalangi, Kochi-682 007.
2. Dharaneendra Biju K.D @ Biju, aged 44 years, S/o Dharaneendran, Kudakumthara House, Kumbalangi P.O., Kochi-682 007, Secretary, Kumbalangi Pulaya Samajam, Kumbalangi P.O., Kochi-682 007.
3. N.R.Mohanan, aged 63 years, S/o Raman, Naduvilathara House, Kumbalangi P.O., Kochi-682 007, Treasurer, Kumbalangi Pulaya Samajam, Kumbalangi P.O., Kochi-682 007.

**By Adv.P.P.Raphaelkutty**

**Respondents/Respondents:-**

1. Harijanodharani Sabha Devaswom Yogam, Reg. No.E.R.162/1977, Kumbalangi rep. By its President K.A. Mukundan, aged 65 years, S/o Ayyappan, Kuranganattuthara House, Kumbalangi P.O., Kochi-682 007.
2. A.A.Sreedharan, aged 62 years, S/o Arjunan, Alumparambil House, Kumbalangi P.O., Kochi-682 007, Secretary, Harijanodharani Sabha Devaswom Yogam, Reg. No. E.R.162/1977, Kumbalangi.

3. R.P Sreedharan, aged 80 years, S/o Late Randuthengumthara Kannan Ayyappan, Kumbalanghi South P.O.
4. Bhaskaran, aged 76 years, S/o Late Aayithara Poovan Ishnadi, Kumbalanghi.
5. Karthikeyan, aged 64 years, S/o Late Kodakuthumthara Kunjan Kochal.
6. Pankajakshi, aged 76 years, D/o Panambukattu Kannan, Kumbalanghi.
7. Kousalya, aged 65 years, D/o Panambukattu Kunjan Cheetha, Kumbalanghi.
8. Thilothama, aged 78 years, D/o Mundukatt Kandankoran, Kumbalanghi.
9. Sumathi, aged 68 years, D/o Narangathara Ayyappan Kunjappan, Kumbalanghi.
10. Sreedharan, aged 61 years, S/o Late Alumparambil Arjunan Kandan, Kumbalanghi.
11. Surendran, aged 75 years, S/o Late Cheriya Panambukattu Kandan, Ayyappan, Kumbalanghi.
12. Saraswathi, aged 65 years, D/o Koranganattuthara Poovan Ayyan, Kumbalanghi.
13. Cheeru, aged 67 years, W/o Late Randuthengumthara Arjunan Thevan, Kumbalanghi.
14. Joseph, aged 70 years, S/o Mannalithara Kochal Thevan, Kumbalanghi.
15. Sumathi, aged 65 years, D/o Thevangattu Maran Ayyaru, residing at Aroor.
16. Vally, aged about 75 years, D/o Kodakumthara Kunjan Thevan, residing at Aroor.
17. Karthikeyan, grandson of Mannalithara Thirumanjan, Aroor.
18. Ammini, aged 81 years, W/o late Thaithara Kochi Poovan.
19. Kunjamma, aged 84 years, D/o Kandathithara Unnyalan Kochal, Kumbalanghi.

20. Savithri Karunakaran, aged 60 years, D/o Naduvilathara Valavan Cheetha, Thaikkattussery, Cherthala.
21. Karthiyayini, D/o Kolothara Poovan Kochilan, Aroor.
22. Bhavani, aged 67 years, W/o Kunjan Bava who is the son of Valiyaparambil Anthan Cheetha, Kumbalanghi.
23. Rajendran, aged 64 years, S/o Naduvilathara Vallon, Kumbalanghi.
24. Ammu, aged 60 years, D/o Vallnattakkal Kochakan Kandan Koran, Konam Desom, Perumpadappu, Kumbalanghi.
25. Leela, aged 65 years, D/o Puthenpurakkal Kunjan Kochal residing at Kathrikadavu, Ernakulam.
26. Vilasini, aged 80 years, D/o Naduvilathara Koran Ayyappan, Ponoth road, Kaloor, Ernakulam.
27. Kalyani, aged 80 years, D/o Koranganattuthara Ayyan Kochi residing at Puthuvype Kochi.
28. Surendran, aged 73 years, S/o Kareethara Chathan Thevan, Kumbalanghi.
29. Chandramathi, aged 65 years, D/o Kadeparambil Ayyappan Kandan, Kannagnattu, Edakochi.
30. Janaki, aged 62 years, D/o Karumban who is son of Poopanathara Thathan Kunjan, Kumbalanghi.

**No appearance**

This petition filed under Order 39 rule 1 and 2 and Section 151 of the Code of Civil Procedure, 1908 to pass an ex-parte interim injunction restraining the defendants 1 and 2 from alienating and encumbering the plaint schedule property to third parties and inducting strangers into the plaint schedule property till the disposal of the above suit.

This petition having come up for hearing before me on 16.10.2020 and the court on the same day passed the following :-

**ORDER**

Heard. Perused the affidavit. Appellants had raised a probable case. Issuing notice may defeat the very purpose of preferring appeal. So in the interest of justice and to save the subject matter as it is for the disposal of this appeal, an ex parte injunction has been passed. Thereby restraining the respondents 1 and 2 from alienating or acting any encumbrance over the scheduled property and from inducting strangers there until further orders. Issue notice . Return of notice. Communicate the order. Take steps for serving injunction order, as mandated in CPC to 16.11.2020.

Pronounced by me in open court on this the 16<sup>th</sup> day of October, 2020.

**Sd/-  
RAJESH R  
SUB JUDGE**

**Appendix:Nil**

**Sd/-  
SUB JUDGE**

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I.A.No.01/2020 in AS 41/2020  
Dated : 16.10.2020