

IN THE COURT OF THE MUNSIF, PERUMBAVOOR

Present :-Sri. Atheek Rahman, Munsiff

Wednesday, the 15th day of September, 2021 / 24th Bhadra, 1943.

I.A. No. 1/2021 in O.S. No. 232/2021

Petitioners/ Plaintiffs:-

1. Mini Kuriakose, Aged 45 years, W/o. Kuriakose, Kulangarappadathu House, Oorakkadu Kara, Kizhakkambalam P O, Thamarachal, Kizhakkambalam Village, Kunnathunadu Taluk.
2. Wilson Varghese, aged 50 years, S/o.Varghese, Peediyekkal House, Oorakkadu Kara, Kizhakkambalam P O, Kizhakkambalam Village, Kunnathunadu Taluk.
3. Varghese, Aged 75 years, S/o. Ouseph, Peediyekkal House, Oorakkadu Kara, Kizhakkambalam P O, Kizhakkambalam Village, Kunnathunadu Taluk.

By Adv. Hashim Althaf

Respondents/Defendants:-

- 1 P M Issac, Aged about 60 years, S/o. Ithappiri Mathai, Pothanakkadan House, Oorakkadu Kara, Kizhakkambalam P O, Kizhakkambalam Village, Kunnathunadu Taluk.
- 2 P P Varghese, Aged about 60 years, S/o. Ithappiri Paily, Pothanakkadan House, Oorakkadu Kara, Kizhakkambalam P O, Kizhakkambalam Village, Kunnathunadu Taluk.
- 3 Eldho Paul, Aged about 53 years, S/o. Paulose, Pothanakkadan House, Oorakkadu Kara, Kizhakkambalam P O, Kizhakkambalam Village, Kunnathunadu Taluk.
- 4 Jaise Jacob, Aged about 33 years, S/o. Jacob, Thayyil House, Oorakkadu Kara, Kizhakkambalam P O, Kizhakkambalam Village, Kunnathunadu Taluk.
- 5 Eldho Varghese, Aged about 35 years, S/o. Varghese, Kalingan House, Oorakkadu Kara, Kizhakkambalam P O, Kizhakkambalam Village, Kunnathunadu Taluk.
- 6 Ajeesh Thomas, Aged 35 years, S/o. Thomas, Meenkolil House, Oorakkadu Kara, Kizhakkambalam P O, Kizhakkambalam Village, Kunnathunadu Taluk.

D1, D2 & D5 - By Adv. Paul K Varghese
D3 - Exparte
D4 & D6 - By Adv. T V Eldho.

This petition is filed u/s.39 rule 151 CPC for injunction.

These petitions having been finally heard before me on 15/09/2021 and the court on the same day passed the following:-

ORDER

Heard. Perused affidavit. Satisfied that petitioners have made out a prima facie case and delay in issuance of notice will defeat the purpose of granting injunction. Hence, an ad-interim injunction order is passed restraining the respondents from causing obstruction to the usage of plaint C schedule way by petitioners, changing its lie and nature and committing waste therein until further orders.

Issue notice. Comply Order 39 Rule 3 proviso.

For return of notice. Call on 29/09/2021.

Pronounced by me in open court on this the 15th day of September, 2021.

Sd/-
ATHEEK RAHMAN
MUNSIFF

Appendix: Nil

Id/-
Munsiff
(By Order)

// True Copy //

Junior Superintendent

Typed by : jav
Compd.by :

Copy of Order in
I.A. 01/21 in O.S. 232/2021
Dated : 15/09/2021