

IN THE COURT OF THE SUB JUDGE, MUVATTUPUZHA
Present:- Sri. Aravind B. Edayodi, Sub Judge
Wednesday, the 17th day of August 2022/26th Sravana 1944

I.A. 2/2022 in O.S. 56/2022

Petitioners/Plaintiffs:-

1. Shihab, aged 42, S/o Saithu Muhammed, residing at Parambil House, Ettippara bhagom, Koovallor Kara, Pallarimangalam Village, Kothamangalam Taluk.
2. Hana Fathima, aged 11 (D/B 25-09-2011) D/o Shihab, do Address, minor represented by father/first plaintiff Natural/Legal guardian as next friend.
3. Hiza Shihab, aged 6 (D/B 15-01-2016) D/o Shihab, do Address, minor represented by father/first plaintiff Natural/Legal guardian as next friend.

By Adv. Sri. Gigi Peter

Respondents/Defendants 1 & 2:-

1. Sainaba, aged 58, W/o Late of Muhammed, residing at Pulickkachalil Puthenpurayil house, Pallarimangalam Kara, do Village, Kothamangalam Taluk.
2. Benazir, aged about 30, D/o Late Muhammed, do Address

By Advs. Prasad M Baby & Athira Haridas

This petition is filed under Order 39 Rule 1 & Section 151 of CPC 1908 to pass a temporary prohibitory injunction restraining the respondents/defendants 1 and 2, their men, agent and anybody under them either transferring or making any encumbrance over the plaint schedule property, causing any mischief therein, cutting and removing any valuable improvements there from and also restrain them from doing any act which cause detrimental to the plaintiffs right for fair partition of plaint schedule properties, till the disposal of the suit, without notice and

the order may be communicated to SRO, Pothanicad and Village Office, Pallarimangalam, respectively.

This petition coming on for hearing on 17.08.2022 and the court on the same day passed the following order:-

AD-INTERIM ORDER

Heard learned counsel for the petitioners. Perused records. I am satisfied that the petitioners have made out a prima facie case. Balance of convenience is in favour of petitioners. If an order not granted, irreparable injury may be caused to the petitioners. Hence respondents are restrained by way of an ad-interim order of injunction from transferring plaint schedule property without disclosing the claim of petitioners/plaintiffs in this suit, subject to the result of the suit.

Issue urgent notice to respondents. Comply Order XXXIX Rule 3 of CPC. Communicate the copy of this order to Village Officer and SRO concerned. For Return of Notice : 02.09.2022.

Pronounced by me in Open Court on this the 17th day of August 2022.

Sd/-
Aravind B. Edayodi
Sub Judge

Appendix : Nil

Id/-
Sub Judge

//True Copy//

(By Order)

Sheristadar

Copied by : stn/-
Compd by : svb/-

Copy of Order in
I.A. 2/2022 in
O.S. 56/2022
Dated:- 17.08.2022