

IN THE COURT OF THE MUNSIFF, DEVIKULAM
Present: Sri. C.UBAIDULLA., B. Com., LL.B., MUNSIFF.
On Friday the 19th day of July 2019.
ORIGINAL SUIT No. 100/2017.

Plaintiffs:

1. Balakrishnan, aged 60 years, S/o. Annamalai, Dindukompu Kara, Kanthalloor Village, Devikulam Taluk.
2. Leela, aged 58 years, W/o. Balakrishnan, Dindukompu Kara, Kanthalloor Village, Devikulam Taluk.

By Adv.Sri.Anish George.

Defendants:

1. Chinnathai, aged about 50 years, W/o. Murugan, Dindukompu S.T Colony Kara, Kanthalloor Village, Devikulam Taluk.
2. Shanmugham, aged about 55 years, S/o. Vellayyan, Dindukompu S.T Colony Kara, Kanthalloor Village, Devikulam Taluk.
3. Appachi, aged about 60 years, S/o. Kali, Dindukompu S.T Colony Kara, Kanthalloor Village, Devikulam Taluk.
4. Anand, aged about 35 years, S/o. Bhagavathy, Dindukompu S.T Colony Kara, Kanthalloor Village, Devikulam Taluk.
5. Rajendran, aged about 45 years, Dindukompu S.T Colony Kara, Kanthalloor Village, Devikulam Taluk.
6. Sri Ram, aged about 30 years, S/o. Marimuthu, Dindukompu S.T Colony Kara, Kanthalloor Village, Devikulam Taluk.

Exparte. (By Adv.Sri.N.C.Rajesh)

This suit coming on for hearing before me on 24/05/2019 and the court on 19/07/2019 delivered the following:-

J U D G M E N T

1. The suit is for permanent prohibitory injunction.
2. Summons served to the defendants. All defendants appeared through counsel. But they did not file written statement and they were set ex-parte.
3. The plaintiff filed proof affidavit in lieu of chief examination and marked Exts.A1 to A3 and Ext. C1 series.
4. Heard the learned counsel for the plaintiff.
5. On perusal of proof affidavit and documents, I am satisfied that the affidavit and documents prove the plaintiff's case.

In the result the suit is decreed as follows:-

- a) Restraining the defendants and their men under them by a permanent prohibitory injunction, from trespassing upon the plaint schedule property, committing any waste and mischief therein, cutting open a new road through the plaint schedule property, obstructing the natural flow of water through the canal which starts from the southern side of the plaint schedule property and from doing any act distributing the peaceful possession and enjoyment of the plaint schedule property by the plaintiffs.
- b) Allowing the plaintiff to recover the costs of the suit from the defendants.

(Dictated to the Confidential Asst., transcribed and typed by her, corrected and pronounced by me in open court on this 19th day of July 2019.)

UBAIDULLA.C
MUNSIFF.

APPENDIX**Plaintiff's Exts:**

- A1 - 07/04/2007 Original Registered Sale Deed No. 1145/1/2007 of SRO,
Devikulam.
- A2 - 17/12/2016 Tax receipt No. 4392965 issued by the Kanthalloor Village
Officer.
- A3 - 07/04/2007 Photocopy of Registered Sale Deed No. 1146/1/2007 of SRO,
Devikulam.

Defendant's Exts:- NIL

Court Exts:-

- C1 - 23/10/2017 Commission report filed by Adv. Sri. Anish George,
Commissioner Advocate.
- C1(a)-23/10/2017 Rough sketch of the plaint schedule property filed along with
above Commission report.

Plaintiff's Witness:- NIL

Defendant's Witness:- NIL

Court Witness:- NIL

**C.UBAIDULLA.,
MUNSIFF.**

VPR
Compared:

FAIR JUDGMENT

IN

O.S.No. 100/2017 dated 19/07/2019.