

IN THE COURT OF THE MUNSIFF, KARUNAGAPPALLY.

Present:- Sri.Praveen Kumar.G, BA.L, LL.B, Munsiff.

Monday, the 22nd day of March, 2021/the 01st day of Chaithram, 1943.

I.A.01/2021 in OS.121/2021

Between

- Petitioners/Plaintiffs:-
1. Suresh Babu @ Raju, aged 50 years,
S/o.Viswanathan, Ambadi Veedu, Kozhikodu
East muri from Pathiyil thekkathil veedu,
Kozhikodu East muri, S.V.Market.PO,
Ayanivelikulangara village
 2. Ajithakumari, aged 42 years, W/o.Suresh Babu
@ Raju, Ambadi Veedu, Kozhikodu East muri,
S.V.Market.PO, Ayanivelikulangara village
 3. Sajeev @ Shihab, aged 40 years, S/o.Haneefa,
Thottukara padeettathil, Kozhikodu East muri,
S.V.Market.PO, Ayanivelikulangara village
 4. Sahira, aged 38 years, W/o.Sajeeb, Thottukara
padeettathil veedu, Kozhikodu East muri,
S.V.Market.PO, Ayanivelikulangara village
 5. Santhoshkumar, aged 50 years, S/o.Gangadharan,
Thaivilakathu veedu, Kozhikodu East muri,
S.V.Market.PO, Ayanivelikulangara village
By Adv.Sri.Soorajkumar.T.S

And

Respondent/
Defendant:-

Hashim, aged 40 years, S/o.Abdul Azeez,
Thottukara Veedu, SV Market PO,
Kozhikodu East Muri, S.V.Market.PO,
Ayanivelikulangara village

This petition filed under Order XXXIX Rule 1 CPC for injunction.

This petition coming on for final hearing before me on 22.03.2021 and on

the same day the court passed the following.

ORDER

Petition filed under order XXXIX Rule 1 C.P.C

Heard and perused the records. I am satisfied that the pleadings and materials on record disclose a prima facie case. Balance of convenience is also in favour of the plaintiffs and irreparable injury and loss would be caused to the plaintiffs if injunction is not granted. Having gone through the nature of the reliefs sought for, it seems that issuance of notice would defeat the purpose of the suit. So, the defendant is restrained from storing and transporting minerals or mineral products in the plaint D schedule property, contrary to the provisions of the Kerala State Mineral (Prevention of Illegal Mining, Storage and Transportation) Rule 2015, until further orders. Comply Order XXXIX Rule 3 C.P.C.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected and pronounced by me in open court on this the 22nd day of March, 2021.

Sd/-

Praveen Kumar.G,
Munsiff.

Appendix:- Nil.

Id/-

Munsiff.

//True Copy//

MUNSIFF

Copied by : Jyothilekshmy.R

Compared by :