

IN THE COURT OF THE MUNSIFF – MAGISTRATE, S. PARAVUR

Present: Sri. M. Satheesan, BA, L.L.B, Munsiff – Magistrate

Saturday, 27th day of February 2016, 08th Magham, 1937.

O S 171/2015**Plaintiff:-**

Manilal, aged 70,
S/o Kesavan, Driver,
Residing at Achu Nivas,
Puthenkulam P.O., Puthenkulam Cherry,
Poothakkulam Village, Kollam Taluk.

(By Adv. Sajeev Devarajan.)

Defendants :-

1. Sathyabhama, aged 70,
W/o Sathyavruthan,
Residing at Sunitha Nivas,
Puthenkulam P.O., Puthenkulam Cherry,
Poothakkulam Village, Kollam Taluk.
2. Sathyavruthan, aged 75,
S/o Kesavan, Residing at Sunitha Nivas,
Puthenkulam P.O., Puthenkulam Cherry,
Poothakkulam Village, Kollam Taluk.
3. Prasannan, aged 45,
Son-in-law of Sathyavruthan,
Residing at Sunitha Nivas,
Puthenkulam P.O., Puthenkulam Cherry,
Poothakkulam Village, Kollam Taluk.

4. Prasannakumar, aged 52,
S/o Bhargavan,
Residing at Aiswarya,
Nedungolam P.O., Meenadu Cherry,
Paravur Village, Kollam Taluk.

(Exparte)

This suit coming for hearing before me on 27-02-2016 and on the same day the court delivered the following:-

J U D G M E N T

Suit for permanent prohibitory injunction.

2. In spite of sufficient opportunity was given to the defendants to file their written statement, the defendants did not file the written statement. So the defendants were set exparte.

3. Plaintiff filed a proof affidavit in lieu of chief examination and produced two documents.

4. The suit was proceeded U/O VIII Rule 10 C P C.

5. Heard the counsel for the plaintiff and marked Exts. A1 and A2.

6. Perused the proceedings in the plaint, averments in the chief affidavit, Ext. A1 is a Sale Deed, dated 07-08-2014 where by the plaintiff has derived right, title and possession over the plaint A-B schedule properties and that the plaintiff has been paying tax over the schedule properties as evidenced from Ext. A2. So the case of the plaintiff stands proved and, therefore, he is

entitled to get a decree, as prayed for.

In the result, the suit stands decreed, the defendants are restrained by way of a permanent prohibitory injunction from trespassing into the plaint A & B schedule properties, from committing any acts of waste, from altering the structure of the plaint 'B' schedule pathway and destructing its boundaries and from obstructing the easementary right of the plaintiff over the plaint 'B' schedule pathway.

Considering the facts and in the circumstances of the case, the plaintiff will bear his costs.

(Pronounced by me in the open court on this the 27th day of February 2016.)

Sd/-
M. Satheesan
Munsiff-Magistrate.

APPENDIX:-

Exhibits for the Plaintiff:-

- A1 - Photocopy of Deed No. 1547, dated 07-08-2014.
- A2 - Photocopy of Land Tax Receipt, dated 04-06-2015.

Exhibits for the Defendant:- NIL

Id/-
Munsiff-Magistrate.

// True Copy//

Munsiff-Magistrate.

Typed by:- Laisa S L.

Compared by:-