

IN THE COURT OF THE MUNSIFF OF PAYYANNUR

Present: Smt.Greeshma.A.S, Munsiff, Payyanur

Monday, the 30th day of March, 2026

(09th day of Chaithra, 1948)

ORIGINAL SUIT No.128 OF 2023

Palamoottil Emmanuel George, S/o.George,	]	
aged 58 years, Padannakkad, Kanhangad Village,	]	Plaintiff
P.O.Padannakkad-671 314.	]	

Vs.

- | | | |
|---|---|-----------|
| 1. Janardhanan.K.A.P, aged 55 years, S/o.Late |] | |
| Kunhappan, Athikkal Puthiya Veetil, Vellora |] | Defendant |
| amsom, Karippal desom, Perumpadav-670 581. |] | |
| 2. Babu Kadavil, Fathers name not known, |] | |
| Karippal.P.O, aged 55 years, Vellora amosm, |] | |
| Karippal desom, Perumpadav-670 581. |] | |
| 3. Prasad, S/o.Janardhanan, aged 46 years, Adukkam, |] | |
| Karippal.P.O, Vellora Village, Perumpadav |] | |

This suit is coming on this day for hearing before me in the presence of Sri.A.V.Kesavan, Advocate for the Plaintiff; of Sri.T.V.Vineesh, Advocate for the defendant; defendants name called absent, set expate and the Court delivered the following:

J U D G M E N T

Suit is filed for permanent prohibitory injunction.

2. **The averments in the plaint in brief are as follows:-** The plaint schedule property was in the possession of Palamoottil Vakkachan @ George. Thereafter, the above said Palamoottil Vakkachan @ George gifted the property to the plaintiff as per registered gift deed No.340/2019 of SRO, Mathamangalam. Now the plaint schedule property was in the possession of

the plaintiff and he remitted the land tax also. The defendant has no any right over the plaint schedule property. The plaintiff is residing 50km far away from the plaint schedule property. Thereafter on 15.07.2023 at 9.00 am the defendants attempted to trespass in to the plaint schedule property and to commit waste, due to the timely interference of the plaintiff, the defendants could not trespass and commit waste. The defendants retreated from the plaint schedule property threatening the plaintiff that they will come again with more force to trespass into the plaint schedule property and to commit waste in the plaint schedule property. Hence the suit is filed for restraining the defendants from trespassing into the plaint schedule property and committing waste.

3. Defendants name called absent and set ex-parte.

4. Plaint claim stands proved by the affidavit filed by the plaintiff and through Exts.A1 and Ext.A2 were marked. Ext.A1 is the document No. No.340/2019 of SRO, Mathamangalam Ext.A2 is the tax receipt. The oral evidence of PW1 and the documents produced by him remain unchallenged. As such, I find that the plaintiff has established its case and is entitled to a decree as prayed for.

In the result, the suit is decreed with costs as follows:-

1. The defendants and their men are restrained by an order of permanent prohibitory injunction from trespassing into the plaint schedule property or committing any act of waste in it or destroying the boundaries in the plaint schedule property.

(Dictated to the Confidential Assistant, transcribed and typed by her, corrected and pronounced by me in open court, this the 30th day of March 2026).

Sd/-
MUNSIFF.

Plaintiff's Exhibits:-

A1	28.02.2019	Gift deed
A2	04.04.2023	Basic Tax receipt

Plaintiff's Witness:-

PW1 : Emmanuel George

Defendant's Exhibit and Witness :- Nil

Sd/-
MUNSIFF.