

**IN THE COURT OF THE MUNSIFF, ETTUMANOOR**

**Present: Miss. Annu Mary Jose., Munsiff**

Wednesday, the 11<sup>th</sup> day of June, 2025  
21<sup>st</sup> day of Jyeshtha, 1947

**IA.1/2025 in OS. No. 86/2025**

**Petitioner/Plaintiff:**

Jeevan Chacko, S/o. Chacko,  
Puthiyedathu House, Pombra P.O.,  
Karimpuzha Kara, Karimpuzha Village,  
Ottappalam Taluk, Palakkadu District,  
Represented by Chacko, S/o. Mani,  
Puthiyedathu House, Pombra P.O.,  
Karimpuzha Kara, Karimpuzha Village,  
Ottappalam Taluk, Palakkadu District.

By Adv. Joshy Jacob, Adv. Francis Mathew &  
Adv. Subin K.Arackal.

**Respondent/Defendant:**

Benny Lukose, S/o. Luka,  
Eruvelickal House, Pattithanam P.O.,  
Kadappoor Kara, Kanakkary Village,  
Meenachil Taluk.

By Adv. Rejimon V.T

This Petition has come up for hearing on 11.06.2025 and  
the court on the same day passed the following:-

**ORDER**

1. This is an application filed under Order 39 Rule 1 of CPC with a prayer for temporary injunction.

2. Heard the learned Counsel for the petitioner and perused the records. I am satisfied that a prima facie case has been made out and issuance of notice to the counter petitioner before granting injunction would defeat the object of granting injunction. Hence, an ad-interim injunction is granted restraining counter petitioner and men under him from excavating soil from plaint item no.2 property so as to affect the lateral support of plaint item no.1 property until further Orders.

3. Comply with proviso to Order 39 Rule 3 CPC. Issue Order. Issue notice to counter petitioners. For return of notice to 24.06.2025.

*Pronounced in open Court on this the 11<sup>th</sup> day of June, 2025.*

**Sd/-  
Annu Mary Jose  
Munsiff**

**APPENDIX : NIL**

**Sd/-  
Annu Mary Jose  
Munsiff**

Typed by :  
Compared by :