

**IN THE COURT OF THE MUNSIFF, ATTINGAL
PRESENT: SMT. SWATHI.R.KRISHNAN, MUNSIFF
THURSDAY 10th APRIL, 2025 / 20th CHAITHRA, 1947**

IA No.01/2025 in OS No.151/2025

Petitioner/ Plaintiff:

Rajan, aged 65 years, S/o Sudevan, 'Anugraha', Aikkuttikonam,
Kudavoor. PO, Melthonnakkal Village, Thiruvananthapuram.

By Advocate: Sri. B. Hareendran

Counter Petitioners /Defendants:

1. The Chief Secretary, Government Secretariat, Thiruvananthapuram.
2. The Special Deputy Collector, LA, N.H. and Competent Authority,
Land Acquisition, National Highway, Civil Station, Kudappanakunnu. PO,
Thiruvananthapuram.
3. The Secretary, Ministry of Road Transport and Highways,
New Delhi – 110075.
4. The Special Tahsildar, L.A, N.H, Unit No.III, Civil Station, Attingal,
Attingal. PO.
5. The Executive Engineer, PWD, National Highway Division, Asramam,
Beach Road, Kollam.

By Advocate: Nil

This petition is filed by the petitioner seeking to allow interim injunction and the court having been heard on 10.04.2025 and the court on the same day passed the following:

ORDER

Plaintiff represented. Defendants 1 to 5 represented. The counsel for defendants 1 to 5 prays time for objection. The counsel for plaintiff submitted that an urgent relief is highly necessary since in the absence of the same, the suit property will be destroyed since construction is being carried out now. Heard both sides. Perused the preliminary report filed by the advocate commissioner dated 17.03.2025 and the advocate commissioner has reported that pillars are constructed in east-western direction and one pillar is situated in the plaint A schedule property. The defendants entered appearance and reasonable opportunity was granted to them to file objection, but they did not file an objection. The

advocate commissioner has reported construction being carried out. The plaintiffs' case is that the defendants are trying to encroach in to plaint C schedule property, ie., the remaining properties. Since the plaintiff made out a prima facie case and balance of convenience and also proved that if the plaint C schedule property is encroached, they will be put to irreparable injury, this court is of the view that there exists exigent circumstance to interfere failing which the plaint C schedule property cannot be preserved. Reasonable opportunity was received by state. Hence this court is of the view that for the preservation of plaint C schedule property this court has to intervene and hence both parties are directed to maintain status quo as reported by the advocate commissioner in the preliminary report till final disposal of this petition. For hearing to 07.06.2025.

Pronounced by me in open Court on this the 10th day of April, 2025.

Sd/-
SWATHI.R.KRISHNAN
MUNSIFF

Appendix:

Nil

Id/-
MUNSIFF

//True Copy//

Typed by: Lasitha
Compared by: Selsa

MUNSIFF