

IN THE COURT OF THE MUNSIFF, VARKALA

PRESENT: Sri. ARAVIND. P., MUNSIFF

TUESDAY 29<sup>th</sup> JULY, 2024

I.A. 1/ 2024 IN O.S. 297/ 2024

**PETITIONERS/ PLAINTIFFS:**

1. Sushama Ramesan, W/o Late Remesan, aged 67 years, resident of Door No. 93, 35A cross, BTM Lay out, 1<sup>st</sup> Phase, Hulimavu, Bangalore 73.
2. Valsala, W/o Late Sunil, aged 60 years, residing at Valsala's, Karavaram, Grama Panchayath, Kattaparambu, Karavaram Village, Pin 695102.
3. Sumetha. M., W/o Lalchand, aged 60 years, residing at Tito Nivas, Dalavapuram, Cherunniyoor Village. Varkala.

**By Adv. Sri. K.S. Vinod.**

**DEFENDANTS/ COUNTER PETITIONER:-**

1. Subhash, S/o Late Madhavan, aged 75 years, residing at Sodom, Opposite Kadakkavoor, Railway Station, Kadakkavoor Village.

2. Suresh, S/o Late Madhavan, aged 65 years, residing at Marakkavilakom, Kadakkavoor, Kulamuttom, Manamboor Village, Varkala.
3. Sumeer, S/o Madhavan, aged 56 years, residing at RugminiMadhavan, Dalavapuram, Cherunniyoor Village.
4. Anshool Puri, S/o Sudhakaran, aged 44 years, residing at 50, Ritu Villa, near Ralyatha Nagar, opposite Lotus enora, new Alakapuri, Gotri Vadodara, Pin 390021.
5. Shradha Manoj, D/o Suprabha, aged 41 years, residing at A-4, Purushothom Residency, near Little anges School, Village ka Survadaval, Thane, Maharashtra, Pin 400615.
6. Sudhakaran, H/o Suprabha (Late) aged 75 years B-11, Jaimatadi township, opposite Tarun Nagar, T- P. 13, Village, Chhani Jakatnaka, Vadodara Pin. 390024, Gujarat.
7. Saraswathy, W/o Late sahaddevan, aged 83 years, residing at Saraswathy Vilasom Oposite petrol pump at Venjaramoodu, Attingal road, Nellanadu P.O., Nellanadu Village.
8. Shyla, D/oSaraswathy, aged 59 years, residing at Saraswathy Vilasom, Opposite Petrol pump at Venjaramoodu, Attingal road, Nellanadu P.O., Nellanadu Village.

9. Dileep, S/o Late Sahadevan, aged 58 years, residing at Saraswathy Vilasom, Opposite Petrol pump at Venjaramoodu, Attingal road, Nellanadu P.O., Nellanadu Village.
10. Sheela, D/o Saraswathy at Saraswathy Vilasom, Opposite Petrol pump at Venjaramoodu, Attingal road, Nellanadu P.O., Nellanadu Village.
11. Madhuri, D/o Saraswathy at Saraswathy Vilasom, Opposite Petrol pump at Venjaramoodu, Attingal road, Nellanadu P.O., Nellanadu Village.
12. Swayam Prabha, W/o Subhash, residing at "Sadom" Opposite Kadakkavoor, Railway Station, Kadakkavoor Village.

**No Appearance**

This original suit having been heard on 29/07/2024 and the court on the same day passed the following:-

## **ORDER**

The petition is coming on for hearing on this day and court passed following order:

The court heard the learned counsel for the petitioner. Perused the plaint, affidavit and documents produced. I am satisfied that, a prima facie case is made out and the delay in issuing notice in this I.A. will defeat the very purpose of the suit. If ad-interim injunction is not granted, irreparable injury will be caused to the petitioner. Hence the respondents are restrained from making further constructions encroaching into petition B and C schedule properties and further restrained from committing any act of waste in the petition B and C schedule properties until further order.

The petitioner shall comply with O.39 R. 3(a) and (b) of Code of Civil Procedure.

**ARAVIND. P.,  
MUNSIFF.**

**APPENDIX:- Nil**

**MUNSIFF**