

IN THE COURT OF THE MUNSIFF, KOCHI

Present :-Sri. Praveen Kumar .G, B.A.L., LL.B, Principal Munsiff

Monday, the 12th day of October, 2015, 20th Aswina, 1937

I.A.No.2570/2015 in O.S. No.438/2015

Petitioners/Plaintiffs:-

1. M. Hamza, aged 64 years, S/o. Mohammed, resident of CC III/309, Eraveli Road, Fortkochi Village, Kochi Taluk.
2. Smt. Nabeeza, aged 58 years, W/o. M. Hamza, resident of CC III/309, Eraveli Road, Fortkochi Village, Kochi Taluk.

By Adv. O.J. Alfred

Respondent/Defendant:-

Mohammed Shakkeer, aged about 45 years, S/o. Mohammed Kutty, Eraveli Desom, now residing at Pulikkal House, Thamarakulam Road, Amaravathy, Fortkochi Village, Kochi Taluk.

No representation

This petition filed under Order 39 Rule 1 of the Code of Civil Procedure to issue an ad-interim order of injunction by restraining the respondent/defendant from the further construction of the building within the setback space of 1.5 meters from the southern boundary of the schedule property.

The petition having been finally heard on 12.10.2015 and the court on the same day, passed the following:-

ORDER

Heard and perused the records. I am satisfied that there is a prima facie case and that issuance of notice would defeat the purpose. So, the respondents are restrained from making any further constructions in violation of the Building Rules. Comply the proviso to Rule 3 of Order 39. Notice to respondents. Return of notice 20.10.2015.

Pronounced in open court on this the 12th day of October, 2015.

Praveen Kumar. G
Principal Munsiff

Appendix: Nil

Principal Munsiff

sks
compd by: