

3. She had further stated that the property, found part of a larger extent of 44.516 cents belong to one Kuttikan. Upon his demise, in a oral partition, the Petitioner's father was allotted Eighteen cents. From and out of the said 18 cents, he had executed Settlement Deeds in favour of the Petitioner for 6.198 cents and 6.508 cents, vide two separate documents. The Respondents are Petitioner's relatives. On perusal of Plaint document No.7, it is seen that the Petitioner's husband, had claimed that the Petitioner owns Eighteen cents of land. The Petitioner's father's claim, that he was allotted 18 cents of land, under oral partition could be adjudicated, only, in the Trial. Since the Plaint document No.8 Town Survey Land Register Extract(Patta), also stands, in the joint names of the Petitioner, as well as the Respondents.

I.A.No. 1 of 2025

O.S. No. 18 of 2025

10.02.2025.

1. The Petitioner had sought for Interim Injunction restraining the Respondents/ Defendants from interfering with the peaceful possession and enjoyment of the Petition schedule property.

2. The Petitioner had stated that, she is the owner of Petition schedule property, having acquired the same, under Settlement Deed dated 02.03.2001 bearing Doc. No. 329 of 2001 and dated 09.03.2001 bearing Doc. No. 356 of 2001. She had stated that those Settlement Deeds, were executed in her favour, by her father Nesa Chandran Roy, the 4th Respondent herein. Though in the original suit, she had not sought for Permanent Injunction, against her father namely, the 4th Defendant, in the above application, She had sought for Interim Injunction, against her father also.

4. The Petitioner had contended that since September 2024, the Respondents had been committing trespass, causing damage and cutting trees, again and again and that the Petitioner's husband gave complaint and obtained CSR receipt. The photographs, produced, would show that a compound wall, made of hollow block had been broken and a few trees have been cut. In such circumstances, this Court is of the considered view that there is Prima Facie Case for further fellin of Trees, if the same is fell, it would take years to grow them, again. Hence Balance of Convenience is also in favour of the Petitioner. Hence this Court is of the Considered view that restraining the Respondents, from cutting any trees, from the Petition schedule property, as of no, would meet the ends of justice.

5. Hence, it is hereby ordered, by way of Interim Injunction, that the

Respondents, are restrained from cutting the trees available in the Petition schedule properties, till 24.02.2025. Call on 24.02.2025. The Petitioner shall comply with the Order XXXIX Rule 3 Code of Civil Procedure.

Sd/-

I ADM, Nagercoil

