

**IN THE COURT OF THE DISTRICT MUNSIF,
ERANIEL.**

Present: **Thiru. M. Senthil Kumar, B.A., B.L.,**

District Munsif, Eraniel.

Tuesday the 21th day of September 2021

I.A.No.2/2021

IN

O.S. No.61/2021

Mr. M. Narayana Pillai

..... Petitioner/Plaintiff

And

1. Sivakumar

2. Vinoth Kumar

3. Sathi Kumar

..... Respondents/Defendants

Sri. Adv. Mr. L. Rajathurai, For the Petitioner / Plaintiff

This petition is coming before me for hearing on 21.09.2021 and upon hearing the arguments on both sides and having stood over for consideration till this day, this court delivered the following order :

ORDER

1. Heard the petitioner. Petition has been filed to restrain the respondents from putting up construction there by obstructing the 'B' schedule pathway which is only access to the 'A' schedule property of the

petitioner/plaintiff. Plaint documents No.2 to 6 on perusal makes out a prima facie case that the petitioner/plaintiff is the owner of plaint 'A' schedule property. Plaint document No.10 would show that the respondents are putting up some construction where it is seen that the steps under construction is protruding in the 'B' schedule property. The plaint document No.10 also would express that the plaintiff has to take access through the 'B' schedule property. Plaint document No.8 is pre suit notice.

2. In this grave circumstances if an order of ad-interim injunction is not granted. The petitioner may be put to hardship.

3. Hence prima facie case made out balance of convenience is in favour of the petitioner. The respondents 1 to 3 are here by injected by way of ad-interim injunction from putting up further construction in the 'B' schedule property. Until 05.10.2021.

4. Petitioner to comply order 39 Rule 3 CPC notice to the respondents returnable by 05.10.2021.

Dictated to the Steno-typist, transcribed by her, corrected and pronounced by me in open court this the 21st day of September 2021.

Sd/-
District Munsif,
Eraniel.

1. Petitioner/Plaintiff side witness : Nil

2. Petitioner/Plaintiff side Exhibit : Nil

3. Respondents / Defendants side witness : Nil

4. Respondents / Defendants side Exhibit : Nil

Sd/-
D.M.,
Eraniel.

Draft/Fair Order

I.A.No.2/2021

in

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D.M., Eraniel.

Dated : 21.09.2021.