

**IN THE COURT OF THE DISTRICT MUNSIF-CUM-JUDICIAL
MAGISTRATE, KOTAGIRI.**

**Present: G. Amirdham. B.Sc., L.L.B.,
District Munsif-cum-Judicial Magistrate, Kotagiri
Dated this 16th day of June 2025, Monday.**

**I.A No: 2/2024
in
OS No: 25/2024**

N.K. Jagadishkumar

-Petitioner

-Vs-

1.Mrs. Sheela

2. Mr. G.Vijayakumar

- Respondents

1) Already both sides heard. On perusal of case records, none other documents were marked on the side of the petitioner as well as the respondent. Further the prayer in the main suit, the same as that of the prayer in the temporary injunction application, interim injunction should not be granted, in the context it is useful to refer the judgment of our Honourable High Court in Dr. Thirunavukarasu Vs Indian Psychiatric society tribunal, rep.by its chairman Delhi and others reported in 2008 (2) CTC 51. In the Judgment our Honourable High Court as held that when an interim Injunction is having effect of granting the final relief, then the said interim injunction should not granted. In this case also if the relief of temporary injunction is granted it would amount to granting of final relief itself without appreciating witness and evidence on its perspective.

2) Moreover the suit is ripe for trial. In this circumstance this court is unable to decide subject matter of this petition without marking of any documents and examination of any witnesses. Hence, this petition is deserves to be dismissed. In the result, this petition is dismissed. No costs.

DM-cum-JM

Kotagiri