

I.A.No.2 of 2021(in) **Suit No.65/2021**

Dated 20.09.2021

Heard. Records carefully perused. The learned counsel for the petitioner has stated that the petitioner is the lessee in the suit schedule property. The suit schedule property originally belongs to Thiruvadudurai Aathinam to support his contention, the learned counsel for the petitioner is relied upon the tenancy agreement in the name of the petitioner. The petitioner has also contended that the petitioner being the law abiding citizen has approached this court with clean hands that he being the lawful possession of the suit property. The respondents were trying to disturb his lawful possession and in support of his contention. The learned counsel for the petitioner has relied upon the CSR copy for the complaint given by the petitioner against the 1st and 2nd respondents in the Achanpudur Police Station. This court is prima facie satisfied that the petitioner is in lawful possession of the suit property and the respondents is disturbing the possession of the petitioner. Further this court is satisfied that the balance of convenience rest upon the petitioner, suppose if the petitioner is evicted by illegal means petitioner being the lawful possession will get serious and irreparable loss.

For all the reasons stated above this court feels this is a fit and special circumstance to grant ad-interim injunction against the respondent 1 to 4 without giving notice to the

defendant. Since the object of granting the interim injunction will get defeated by the delay.

In the result, Ad-interim injunction is granted. The respondents or their men and agents are restrained from interfering with the peaceful possession and enjoyment of the petitioner over the suit schedule property till 06.10.2021.

The petitioner is directed to comply with order 39(3)(a) of C.P.C without fail.

Issue notice to the respondents returnable by 06.10.2021

Private notice to the respondents is also permitted.

District Munsif Cum
Judicial Magistrate,
Shencottah

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O.Suit No.65/2021

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ORDER

For all the reasons stated above this court feels this is a fit and special circumstance to grant ad-interim injunction against the respondent 1 to 4 without giving notice to the defendant. Since the object of granting the interim injunction will get defeated by the delay.

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Issue notice to the respondents returnable by 06.10.2021

Private notice to the respondents is also permitted.

District Munsif Cum
Judicial Magistrate,
Shencottah

D.M.C., Shencottah
O.S.No.94/2018
Fair /Draft judgment
17.03.2021
