

IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE(FTC),
VELLORE, VELLORE DISTRICT.

PRESENT: Tmt.P.REVATHY, M.A.,M.L.,
Additional District Judge(FTC),Vellore.

Dated this the 01st day of November 2023, Wednesday

I.A.NO.2/2022 in
O.S.NO.76/2022

- - - - -

Wilson,
Represented by Power Agent
J.Jacob Premanand

..Petitioner/Plaintiff.

//Vs//

Immanuel Paul

..Respondent/Defendant.

This petition cameup before me on 20.10.2023 for final hearing in the presence of Thiru.R.Nithyanandham and Tmt.K.Padmavathy, Counsels for the petitioner and of M/s.M.J.Sundar and T.Jeganathan, Counsels for the respondent and upon hearing the arguments of both sides and upon perusing the entire case records and having stood over for consideration, till this date this court delivered the following:-

ORDER

Petition filed by the petitioner under Or.39, Rule 1 and Sec.151 of CPC prays to grant Temporary injunction restraining the respondent/defendant, his servants, agents, assignees or any person claiming right under them not to put up any construction in the suit schedule property and to deal with the property any manner till the disposal of the suit, further grant ad-interim injunction to the same effect till the disposal of this petition

2.The averments of the affidavit as follows:-

The petitioner herein is the Plaintiff's Power Agent in the above suit and he well acquainted with the facts of the case and he filed the petition on behalf of the other plaintiff as his power agent. The suit is filed against the respondent for declaration and injunction.

S.Wilson is the absolute owner of the property, he purchased the same in the 31.03.2009 vide document No.2875/2009, from the date of purchase petitioner is in exclusive possession of the property more vividly described in the schedule, the property is a vacant site, Wilson his Principal through a registered power deed dated 06.11.2019 appointed J.Jacob Premanand to act as his general power agent as per the power granted and vested in him, he is filing the suit.

The suit properties originally belongs to Mr.Jeevarathinam, purchased 0.43 cents of land in survey No.1777 North Vellore, registered sale deed dt.27.10.1958, through a registered settlement deed dated 12.06.1970 vide doc.No.1572/1970, gifted the property to one Nallaiah Arone (who started individual church in the name and style as Zion Pentecostal Church) in said Settlement the settler made it clear that by imposing a specific covenant to construct a church in the property and to carryout religious activities, it is specifically emphasized in the settlement deed that on violation of the covenant the settler himself are his legal heirs have right to cancel/revoke the settlement deed dt.12.06.1970. The suit property is situated in the

industrial slum area on the bound of Palar river, when the old bridge was collapsed and the bus route was diverted, the area was isolated and occupied by the anti social activists, elements, due to the reason members of the Church hesitated to attend the meetings and religious prayer, Pastor Nallaiah Arone revealed the same and requested Jeevarathinam to arrange for some other place for construction of church, as per the request made by Nallaiah Arone Jeevarathinam arranged a place near New Bus Stand to Sathuvachari Collectorate road, near Susee Cars, Ganesh Motors Building, since Mr.Jeevarathinam and Mrs.Jeevarathinam donated lands for more than four churches Nallaiah Arone asked to execute a sale in favour of Church for nominal, meager value, a new church was constructed on 01.09.1984, after construction of new church near Ganesh Motors in collector Office Road, suit property was not used for any activities including church and religious activities since from the date of grand, the schedule property remained forsaken place for several decades and not used for any religious prayer, ceremonies etc.,

The respondent is not a clergymen or priest in the strict sense, when the respondent proclaimed himself as pastor and illegally and antitheologically took power and control over the affairs of the church, alienated properties of Zion Church branch properties at Chittoor, Alamelurangapuram etc., and spend the sale consideration lavishly for his personal desire and gain, when the respondent trying to sell the suit property

petitioner's vendor cancelled the settlement deed executed by her husband Jeevarathinam through cancellation deed dated 27.05.2008, then respondent filed a suit O.S.No.79/2009 before the District Munsif Court at Vellore for declaration of title and challenging the cancellation deed dated 27.05.2008, the suit was undervalued, since the aforesaid court is not having pecuniary jurisdiction the case was returned and represented before the District Judge Court and taken on file and renumbered as OS.No.40/2015 and the defendant admitted that there is no church constructed in the suit property and he could not give proper explanation and comments about his locus standy to the suit and right to represent the church the suit OS.No.40/2015 was dismissed on 22.02.2017 for the first time and again on 18.04.2017 and once again on 29.11.2017, restoration application also dismissed against the order Civil Miscellaneous Appeal is preferred CMA No.1751/2018 after contest the CMA is dismissed on 17.12.2020. The defendant is a third party has no right, now trying to take possession of the suit property by illegal means.

When the Revenue and Survey officials came to the suit property for measurement, the respondent threatened the petitioner and his vendor with dire consequences and prevented the petitioner from entering his own property and also created intentional law and order problem, a police complaint was lodged before the North Police Station, CSR No.234/2022, because of police complaint the respondent remained silent. Taking

advantage of the fact that the petitioner is residing far away from the suit property, the respondent is threatening to dispossess the petitioner from the suit property, very recently in the last week the respondent trespassed in to the suit vacant site and by erecting metal column/pillars constructing metal roofed structure day and night to deceive the property of the petitioner, a police complaint also lodged before the North Police station, but police officials hesitated to take acting, stated that it is civil dispute.

The respondent is not a law abiding person, having political backup and support of gundas and rowdy people, the respondent has no right, title or interest what so ever over the suit property, the petitioner purchased the same on 31.03.2009, very recently after the dismissal of the appeal and after due enquiry by the revenue officials to mutation of Patta illegally trespassed into the suit property buildup a super structure in the suit vacant site with an wicked intention to deceive the property and also to create evidence that a church is constructed and functioning, so that the petitioner cannot get physical possession of the property.

Inspite of the objection made by the petitioner, the respondent proceeding with the illegal construction work and laid foundation stone, metal pillars and raised metal roofed structure in suit property without any building plan approval. The respondent has no right to alter the physical features of the suit property and harm his right over the suit property, the petitioner filed this petition for temporary injunction and prays to allow the petition.

3. Brief averments of the counter filed by the respondent is as follows:-

The Zion Pentecostal Church is one of the famous churches in Vellore Town, it has many followers and believers and it is continuously functioning for more than 60 years and grown with 12 branches all over Tamilnadu and carrying on religious activities. As per a fraudulent sale agreement bearing doc.No.9694/2019 dt.06.11.2019, the petitioner and his agreement holders, causing frequent threat to the Church and their illegal act is totally against the interest of the Church. Because the suit property exists in the name of Zion Pentecostal Church not in his individual name.

Originally the Zion Pentecostal Church was established nearly 60 years ago, then in the year 1970 one of the ardent devotee of this Church namely Late.Mr.Jeevarathinam donated the suit property of 7 1/2 cents of land in S.No.1777 of Vada Vellore Village and executed a settlement deed in favour of Zion Pentecostal Church through registered settlement deed bearing doc.No.1572/1970, dated 12.06.1970. Then on 15.06.1970 the same Mr.Jeevarathinam sold the adjacent land measuring 5.5 cents to the Zion Pentecostal Church for a sale consideration of Rs.7,865/- bearing Doc.No.1601/1970 at Vellore. Finally Late.Mr.Jeevarathinam once again sold the remaining property and executed one more sale deed for a sale consideration of Rs.6000/- in favour of the said Zion Church bearing Doc.No.3336/1971 dt.12.11.1971 in which Jeevarathinam sold his old

residential house measuring an extent of 1120 sq.ft. in the same S.No.1777 of Vada Vellore Village.

The entire properties came under the absolute possession and enjoyment of the Zion Pentecostal Church and altogether property fenced and especially upon the property obtained through settlement deed bearing No.1572/1970 is properly used as per the settler wishes and the main original Zion Pentecostal Church is built upon it and still performing prayers, worships under the absolute possession of Church.

The executor of the said settlement deed Late.Jeevarathinam, clearly mentioned that the suit property to be used for church activities and to be used for development or utilized for the growth of the church. Further in the said deed in page 4 it is clearly stated that neither he nor his legal heirs have any right to interfere with the suit property. The executor Jeevarathinam was an active member to their Church, and no disturbance took place until Mr.Jeevarathinam's existence upto year 1989. For these periods of 19 years, he never thought of revoking his settlement deed.

After the demise of Jeevarathinam, immediately the mother of Jacob Premanand namely Mrs.Kanaga Sundari claiming herself as his wife and started problem to the church and she is going to write a cancellation of the settlement deed, after such threat she extracted more than 5 lakhs from the Church then she executed two power of Attorney deeds in favour of Zion Pentecostal Church through her sons. By these two power documents they

further confirmed that the vacant land which is under the previous agreement between Jeevarathinam and the Church and at the same time the versions of Jeevarathinam at page 3 of the sale deed No.1601/1970 confirms that he received advance amount of Rs.6000/- and Rs.1865/- means that late.Jeevarathinam himself received the then market value of sale consideration from the then Pastor even though he wrote religious settlement in favour of the Zion Church. In the same way yet another sale deed was executed for Rs.6000/- for another adjacent property but measuring only 1120 Sq.ft. from these two sale costs it is inferred that late.Jeevarathinam did not given the suit property as a gift to the Church but it was indirectly sold to the Zion Pentecostal Church. Normally if a property donated either to Church or Temple means it is an offering given to God that is why Late.Jeevarathinam stated in the deed as a religious settlement deed.

There are five surviving legal heirs to late.Jeevarathinam, first of all his wife Kanagasundari has no right to register a cancellation deed, if she felt so, there are 4 more legal heirs to decide the matter, also the illegal cancellation took place only after 38 years, it is a time barred act. Thereafter from 1989 to 2006 the Mrs.Kanagasundari and the present power agent Jacob Premanand were kept quiet, after the demise of Rev.Nallaiah Aron they commenced habitual money extraction and hatched a plan of threatening the succeeding chief pastors of the Zion Pentecostal Church, finally the said Kanagasundari fraudulently wrote and registered a

cancellation deed vide Doc.No.5985/2008, dt.27.05.2008, in which the Plaintiff Wilson is a witness. She has no locus standi to execute such cancellation deed after lapse of 38 years that too without inclusion of all the legal heirs. They wantonly entered in this agreement because there is no patta or revenue records or atleast municipal records in the name of Plaintiff Wilson or power agent Jacob Premanand. Already the vendor to the plaintiff Kanagasundari approached Tahsildar Vellore on 10.06.2021 rejected their Plea of Patta name transfer with the observation that the suit property is under the absolute possession of Zion Pentecostal Church.

The said Kanagasundari committed another illegal act that without having possession of the suit property she executed a fraudulent sale deed in favour of Plaintiff vide Doc.No.2875/2009, dt.31.03.2009. If the Plaintiff is a genuine person then he never go for the fraudulent registration, because no revenue records found in her name and she was no in possession of 7.5 cents till date or even at the date of execution of such fraudulent sale deed in favour of Plaintiff. Once again the plaintiff entered another fraudulent deed of sale agreement vide doc.No.9694/2019 dt.06.11.2019 with Saravanan, Ramesh and kind of frivolous petition, thereby intentionally abusing the process of law and the court.

The suit property is completely fenced and properly maintained. The original Zion Pentecostal Church is functioning from the suit property all the original title documents are vested with the Church. And the revenue

records such as Patta, Chitta are in favour of their Zion Church, the property taxes are paid by them and the EB connection also in favour of the Zion Church. The plaintiff know very well that the suit property is under the absolute possession and enjoyment of their Zion Pentecostal Church but with tainted intention to extract money from them or with ulterior motive they indulged such kind of fraudulent activities and registered these fraudulent documents without their knowledge. The petitioner approached this court with unclean hands and prays to dismiss the petition.

4. The point for consideration in this petition is;

Whether the petition is to be allowed or not?

5. Point:

The petitioner stated that S.Wilson is the absolute owner of the property, he purchased the same in the 31.03.2009 vide document No.2875/2009, from the date of purchase petitioner is in exclusive possession of the property more fully described in the schedule, the property is a vacant site, Wilson his Principal through a registered power deed dated 06.11.2019 appointed J.Jacob Premanand to act as his general power agent as per the power granted and vested in him, he is filing the suit.

The suit properties originally belongs to Mr.Jeevarathinam, purchased 0.43 cents of land in survey No.1777 North Vellore, registered sale deed dt.27.10.1958, through a registered settlement deed dated 12.06.1970 vide doc.No.1572/1970, gifted the property to one Nallaiah Arone (who started

individual church in the name and style as Zion Pentecostal Church) in said Settlement the settler made it clear that by imposing a specific covenant to construct a church in the property and to carryout religious activities, it is specifically emphasized in the settlement deed that on violation of the covenant the settler himself are his legal heirs have right to cancel/revoke the settlement deed dt.12.06.1970. To prove the same the petitioner has filed the certified copy of the sale deed stands in the name of deceased Jeevarathinam, original cancellation of settlement deed dated 27.05.2008, original power of attorney executed by wife of Jeevarathinam in favour of Ropus Kornalish, original sale deed stands in the name of plaintiff and the same are marked as Ex.P.1 to Ex.P.4. The suit property is situated in the industrial slum area on the bound of Palar river, when the old bridge was collapsed and the bus route was diverted, the area was isolated and occupied by the anti social activists, elements, due to the reason members of the Church hesitated to attend the meetings and religious prayer, Pastor Nallaiah Arone revealed the same and requested Jeevarathinam to arrange for some other place for construction of church, as per the request made by Nallaiah Arone Jeevarathinam arranged a place near New Bus Stand to Sathuvachari Collectorate road, near Susee Cars, Ganesh Motors Building, since Mr.Jeevarathinam and Mrs.Jeevarathinam donated lands for more than four churches Nallaiah Arone asked to execute a sale in favour of Church for nominal, meager value, a new church was constructed on 01.09.1984, after

construction of new church near Ganesh Motors in collector Office Road, suit property was not used for any activities including church and religious activities since from the date of grant, the schedule property remained forsaken place for several decades and not used for any religious prayer, ceremonies etc.,

The respondent is not a clergymen or priest in the strict sense, when the respondent proclaimed himself as pastor and illegally and antitheologically took power and control over the affairs of the church, alienated properties of Zion Church branch properties at Chittoor, Alamelurangapuram etc., and spend the sale consideration lavishly for his personal desire and gain, when the respondent trying to sell the suit property petitioner's vendor cancelled the settlement deed executed by her husband Jeevarathinam through cancellation deed dated 27.05.2008, then respondent filed a suit O.S.No.79/2009 before the District Munsif Court at Vellore for declaration of title and challenging the cancellation deed dated 27.05.2008, the suit was undervalued, since the aforesaid court is not having pecuniary jurisdiction the case was returned and represented before the District Judge Court and taken on file and renumbered as OS.No.40/2015 and the defendant admitted that there is no church constructed in the suit property and he could not give proper explanation and documents about his locus standy to the suit and right to represent the church, the suit OS.No.40/2015 was dismissed on 22.02.2017 for the first time and again on 18.04.2017 and

once again on 29.11.2017, restoration application also dismissed against the order Civil Miscellaneous Appeal is preferred CMA No.1751/2018 after contest the CMA is dismissed on 17.12.2020. The defendant is a third party has no right, now trying to take possession of the suit property by illegal means.

When the Revenue and Survey officials came to the suit property for measurement, the respondent threatened the petitioner and his vendor with dire consequences and prevented the petitioner from entering his own property and also created intentional law and order problem, a police complaint was lodged before the North Police Station, CSR No.234/2022, because of police complaint the respondent remained silent. Taking advantage of the fact that the petitioner is residing far away from the suit property, the respondent is threatening to dispossess the petitioner from the suit property, very recently in the last week the respondent trespassed in to the suit vacant site and by erecting metal column/pillars constructing metal roofed structure day and night to deceive the property of the petitioner, a police complaint also lodged before the North Police station, but police officials hesitated to take action, stated that it is civil dispute.

The respondent is not a law abiding person, having political backup and support of gundas and rowdy people, the respondent has no right, title or interest whatsoever over the suit property, the petitioner purchased the same on 31.03.2009, very recently after the dismissal of the appeal and after

due enquiry by the revenue officials to mutation of Patta illegally trespassed into the suit property buildup a super structure in the suit vacant site with an wicked intention to deceive the property and also to create evidence that a church is constructed and functioning, so that the petitioner cannot get physical possession of the property.

Inspite of the objection made by the petitioner, the respondent proceeding with the illegal construction work and laid foundation stone, metal pillars and raised metal roofed structure in suit property without any building plan approval. The respondent has no right to alter the physical features of the suit property and harm his right over the suit property, the petitioner filed this petition for temporary injunction.

But the respondent denied the allegations and stated that originally the Zion Pentecostal Church was established nearly 60 years ago, then in the year 1970 one of the ardent devotee of this Church namely Late.Mr.Jeevarathinam donated the suit property of 7 1/2 cents of land in S.No.1777 of Vada Vellore Village and executed a settlement deed in favour of Zion Pentecostal Church through registered settlement deed bearing doc.No.1572/1970, dated 12.06.19070. Then on 15.06.1970 the same Mr.Jeevarathinam sold the adjacent land measuring 5.5 cents to the Zion Pentecostal Church for a sale consideration of Rs.7,865/- bearing Doc.No.1601/1970 at Vellore. Finally Late.Mr.Jeevarathinam once again sold the remaining property and executed one more sale deed for a sale

consideration of Rs.6000/- in favour of the said Zion Church bearing Doc.No.3336/1971 dt.12.11.1971 in which Jeevarathinam sold his old residential house measuring an extent of 1120 sq.ft. in the same S.No.1777 of Vada Vellore Village.

The entire properties came under the absolute possession and enjoyment of the Zion Pentecostal Church and altogether property fenced and especially upon the property obtained through settlement deed bearing No.1572/1970 is properly used as per the settler wishes and the main original Zion Pentecostal Church is built upon it and still performing prayers, worships under the absolute possession of Church.

The executor of the said settlement deed Late.Jeevarathinam, clearly mentioned that the suit property to be used for church activities and to be used for development or utilized for the growth of the church. Further in the said deed in page 4 it is clearly stated that neither he nor his legal heirs have any right to interfere with the suit property. The executor Jeevarathinam was an active member to their Church, and no disturbance took place until Mr.Jeevarathinam's existence upto year 1989. For these periods of 19 years, he never thought of revoking his settlement deed.

After the demise of Jeevarathinam, immediately the mother of Jacob Premanand namely Mrs.Kanaga Sundari claiming herself as his wife and started problem to the church and she is going to write a cancellation of the settlement deed, after such threat she extracted more than 5 lakhs from the

Church then she executed two power of Attorney deeds in favour of Zion Pentecostal Church through her sons. By these two power documents they further confirmed that the vacant land which is under the previous agreement between Jeevarathinam and the Church and at the same time the versions of Jeevarathinam at page 3 of the sale deed No.1601/1970 confirms that he received advance amount of Rs.6000/- and Rs.1865/- means that late.Jeevarathinam himself received the then market value of sale consideration from the then Pastor even though he wrote religious settlement in favour of the Zion Church. In the same way yet another sale deed was executed for Rs.6000/- for another adjacent property but measuring only 1120 Sq.ft. from these two sale costs it is inferred that late.Jeevarathinam did not given the suit property as a gift to the Church but it was indirectly sold to the Zion Pentecostal Church.

There are five surviving legal heirs to late.Jeevarathinam, first of all his wife Kanagasundari has no right to register a cancellation deed, if she felt so, there are 4 more legal heirs to decide the matter, also the illegal cancellation took place only after 38 years, it is a time barred act. Thereafter from 1989 to 2006 the Mrs.Kanagasundari and the present power agent Jacob Premanand were kept quiet, after the demise of Rev.Nallaiah Aron they commenced habitual money extraction and hatched a plan of threatening the succeeding chief pastors of the Zion Pentecostal Church, finally the said Kanagasundari fraudulently wrote and registered a

cancellation deed vide Doc.No.5985/2008, dt.27.05.2008, in which the Plaintiff Wilson is a witness. She has no locus standi to execute such cancellation deed after lapse of 38 years that too without inclusion of all the legal heirs. They wantonly entered in this agreement because there is no patta or revenue records or atleast municipal records in the name of Plaintiff Wilson or power agent Jacob Premanand. Already the vendor to the plaintiff Kanagasundari approached Tahsildar Vellore on 10.06.2021 rejected their Plea of Patta name transfer with the observation that the suit property is under the absolute possession of Zion Pentecostal Church.

The said Kanagasundari committed another illegal act that without having possession of the suit property she executed a fraudulent sale deed in favour of Plaintiff vide Doc.No.2875/2009, dt.31.03.2009. The plaintiff entered another fraudulent deed of sale agreement vide doc.No.9694/2019 dt.06.11.2019 with Saravanan, Ramesh and kind of frivolous petition, thereby intentionally abusing the process of law and the court.

The suit property is completely fenced and properly maintained. The original Zion Pentecostal Church is functioning from the suit property all the original title documents are vested with the Church. And the revenue records such as Patta, Chitta are in favour of their Zion Church, the property taxes are paid by them and the EB connection also in favour of the Zion Church. The plaintiff know very well that the suit property is under the absolute possession and enjoyment of their Zion Pentecostal Church but

with tainted intention to extract money from them or with ulterior motive they indulged such kind of fraudulent activities and registered these fraudulent documents without their knowledge.

Even though the respondent denied the cancellation of settlement deed executed by the wife of late Jeevarathinam as illegal, but not denied that the suit filed by the respondent for declaration of title and to declare the said settlement deed as null and void and for consequential injunction and also not denied the dismissal of the said suit and the appeal filed before the Hon'ble High Court as against the said dismissal of the suit and the dismissal of the said appeal also. To prove the dismissal of the suit filed by the respondent and the dismissal of the appeal filed before the Hon'ble High Court, the petitioner filed the xerox copies of the order passed in O.S.No.40/2015, I.A.No.2/2018 in O.S.No.40/2015 and xerox copy of the Judgment in CMA.No.1751/2018 and the same are marked as Ex.P.5 to 7. Since the suit filed by the respondent with regard to cancellation of the settlement deed executed by the deceased Jeevarathinam is dismissed and the appeal filed as against the said dismissal of the suit also dismissed, then the respondent cannot claim any title to the suit properties. The respondent even though stated that the original Zion Pentecostal Church is functioning from the suit property all the original title documents are vested with the Church. And the revenue records such as Patta, Chitta are in favour of their Zion Church, the property taxes are paid by them and the EB connection

also in favour of the Zion Church, but to prove the possession and enjoyment no documentary evidence filed. Further even though the respondent stated that the church is functioning, but not denied about the erecting metal column/pillars constructing metal roofed structure. The petitioner has filed the photos to prove the said erecting of metal pillars and metal roof and the same are marked as Ex.P.9. The respondent has not made objection with regard to the said allegations. If at all already there is building in the suit property, what is the necessity to put up such construction is not explained by the respondent. Further on perusal of the photos it is seen that the property is kept vacant with fencing only and the erection of pillars made in the vacant site only.

Hence from the above said discussions and perusal of documents filed by the petitioner, it is seen that the respondent has no title or possession to the suit property and the petitioner is the owner of the suit property and the petitioner is entitled for the injunction as prayed in the petition and the respondent is restrained from putting up any construction in the suit property till the disposal of the suit.

In the result, this petition is allowed. No cost.

Dictated to steno typist directly, typed by her, corrected and pronounced by me in open court, this the 01st day of November 2023.

**Additional District Judge(FTC)
Vellore.**

Petitioners' side Exhibits:

Ex.P.1 / 27.10.1958 / Certified copy of the Sale deed stands in the name of
Jeevarathinam

Ex.P.2 / 27.05.2008 / Original Cancellation deed

Ex.P.3 / 09.03.2009 / Original Power of Attorney Deed

Ex.P.4 / 31.03.2009 / Original Sale deed stands in the name of Plaintiff

Ex.P.5 / 29.11.2017 / Certified copy of the Decree in OS.No.40/2015

Ex.P.6 / 02.04.2018 / Certified copy of the petition and order, fair and
decreetal order passed in I.S.No.2/2018 in
OS.No.40/2015.

Ex.P.7 / 17.12.2020 / Copy of the order passed in CMA.No.1751/2018

Ex.P.8 / 05.04.2022 / Original CSR No.82/2021

Ex.P.9 / - / Photos with CD

Ex.P.10/ 10.05.2022 / Oneline copy of the Guide Line value

Ex.P.11/ 06.11.2019 / Original Power of Attorney deed

Respondent's side Exhibits:

NIL

Both side witnesses:

NIL

**ADJ (FTC),
Vellore.**

IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE(FTC),
VELLORE, VELLORE DISTRICT.

PRESENT: Tmt.P.REVATHY, M.A.,M.L.,
Additional District Judge(FTC),Vellore.

Dated this the 01st day of November 2023, Wednesday

I.A.NO.2/2022 in
O.S.NO.76/2022

- - - - -

Wilson, aged 65 years, S/o.Late.Samuel, residing at D.No.22, C.Sector, V.G.Rao Nagar, Tharapadavedu, Katpadi, Vellore District Represented by Power Agent J.Jacob Premanand, aged 60 years, S/o.Jeevarathinam, residing at No.317, Sundara Ganapathy Street, Gandhi Centenary Colony, Gandhi Nagar, Vellore-632 006.

..Petitioner/Plaintiff.

//Vs//

Immanuel Paul, aged 56 years, S/o.Paul, residing at Palar River Bund, opposite to Chelliyamman Kovil, Near Green Signal Ganesh Cars, Collector Office Road, Vellore.

..Respondent/Defendant.

Petition filed by the petitioner under Or.39, Rule 1 and Sec.151 of CPC prays to grant Temporary injunction restraining the respondent/defendant, his servants, agents, assignees or any person claiming right under them not to put up any construction in the suit schedule property and to deal with the property any manner till the disposal of the suit, further grant ad-interim injunction to the same effect till the disposal of this petition.

This petition cameup before me on 20.10.2023 for final hearing in the presence of Thiru.R.Nithyanandham and Tmt.K.Padmavathy, Counsels for the petitioner and of M/s.M.J.Sundar and T.Jeganathan, Counsels for the respondent and upon hearing the arguments of both sides and upon perusing the entire case records and having stood over for consideration, till this date this court doth order and decreetal order as follows:-

/2/

DECREETAL ORDER

1. That the petition be and the same is hereby allowed;
2. That there is no cost.

Given under my hand and the seal of this court, on this the 01st day of
November 2023.

**Additional District Judge(FTC),
Vellore.**

