

**IN THE COURT OF [CIVIL JUDGE (SENIOR DIVISION) / COMPETENT CIVIL COURT], [PLACE]**

Civil Suit No. \_\_\_\_ of 20\_\_

**MEMO OF PARTIES**

[NAME OF PLAINTIFF], [S/o / D/o / W/o] [NAME OF FATHER / HUSBAND], aged about [\_\_] years, resident of [FULL ADDRESS WITH PIN CODE]... Plaintiff

[NAME OF DEFENDANT], [S/o / D/o / W/o] [NAME OF FATHER / HUSBAND], aged about [\_\_] years, resident of [FULL ADDRESS WITH PIN CODE]... Defendant

**SUIT FOR PERMANENT INJUNCTION RESTRAINING THE DEFENDANT, HIS AGENTS, SERVANTS AND ANYONE ACTING ON HIS BEHALF FROM [INTERFERING IN THE PEACEFUL POSSESSION OF THE PLAINTIFF / RAISING CONSTRUCTION / ALIENATING] OVER THE SUIT PROPERTY DESCRIBED IN PARAGRAPH 2**

Respectfully showeth:

1. That the plaintiff is the [owner / lawful tenant / co-owner] in possession of the suit property by virtue of [SALE DEED / INHERITANCE / RENT AGREEMENT / OTHER] dated [DATE] (Annexure P-1).
2. That the suit property is [DESCRIPTION: House / Plot / Shop No. \_\_, Khasra / Khewat No. \_\_, measuring \_\_, situated at \_\_], bounded as: East [\_\_], West [\_\_], North [\_\_], South [\_\_]. A site plan is annexed as Annexure P-2.
3. That the plaintiff is in settled, peaceful and continuous possession of the suit property since [DATE / YEAR], as evidenced by [ELECTRICITY BILLS / JAMABANDI / TAX RECEIPTS] (Annexure P-3).
4. That the defendant has no right, title or interest in the suit property. On [DATE], the defendant [DESCRIBE THE ACT OR THREAT — e.g. tried to forcibly enter / started digging / threatened to dispossess].
5. That the plaintiff reported the matter to [POLICE STATION / AUTHORITY] vide [DD No. / complaint dated \_\_] (Annexure P-4). The defendant continues to threaten the plaintiff and may carry out the threat at any time.
6. That if the defendant is not restrained, the plaintiff will suffer irreparable loss and injury which cannot be compensated in money, and multiplicity of litigation will follow.
7. That the cause of action arose on [DATE] when [\_\_], and further on [DATE] when [\_\_], and it is continuing.
8. That the suit property is situated within the territorial jurisdiction of this Court, and the suit is within its pecuniary jurisdiction.
9. That the suit is valued at ₹[\_\_] for the purposes of court fee and jurisdiction [under the applicable Court Fees Act and Suits Valuation Act], and the requisite court fee has been affixed.
10. That the suit is within limitation, and no other suit on the same cause of action is pending or has been decided between the parties.

11. That the suit property is specifically identifiable by [municipal / khasra / plot numbers], area [ ], boundaries [north, south, east, west] and the site plan annexed as [ ]. The source and extent of the plaintiff's right are [document and particulars].
12. That the plaintiff's possession on the date of institution is shown by [occupation / cultivation / tenant / keys / utility or revenue records] from [date]. The defendant's competing claim, if any, is [exact claim and document], and the plaintiff's response is [facts].
13. That on [dates], the defendant threatened or attempted [specific interference] at [location], witnessed or recorded by [evidence]. The apprehended recurrence is supported by [recent act], and not merely a general assertion of fear.
14. That [there is no substantial cloud on title / the asserted competing title requires declaration, for which appropriate additional relief is sought]. [If already dispossessed: plead when and how and seek the appropriate possession relief; do not retain an injunction-only prayer.]
15. That the precise restraint sought is against [identified act] concerning [identified portion]. It preserves the plaintiff's existing lawful possession and does not seek to recover possession indirectly or prevent a lawful proceeding.
16. That the cause of action arose on [events and dates] within [place]. Territorial and pecuniary jurisdiction, applicable limitation and valuation are [particulars]; court fee payable is ₹\_\_\_\_\_ under the applicable local law.
17. That [OPTIONAL: retain only after verifying the cited rule and these facts] the plaintiff's lawful possession is shown by [annexures], the interference is [act], and the title position is [facts]. Applying Anathula Sudhakar, the selected relief is [injunction / declaration with consequential relief / possession] because [matching circumstances]; the adverse title material is addressed by [response].

It is, therefore, respectfully prayed that a decree for permanent injunction may kindly be passed in favour of the plaintiff and against the defendant, restraining the defendant, his agents, servants, relatives and anyone acting on his behalf from [interfering in the peaceful possession of the plaintiff / raising any construction / alienating or creating any third-party interest] over the suit property described in paragraph 2, with costs of the suit, and any other relief which this Hon'ble Court deems fit.

Place: [PLACE] Date: [DATE]

PLAINTIFF Through [NAME OF ADVOCATE] Advocate Enrolment No. [ ]

### VERIFICATION

Verified at [PLACE] on [DATE] that the contents of paragraphs 1 to [ ] of the above plaint are true and correct to my knowledge, the contents of paragraphs [ ] to [ ] are based on information received and legal advice, which I believe to be true, and the last paragraph is the prayer to this Hon'ble Court. No part of it is false and nothing material has been concealed therefrom.

### PLAINTIFF

Note: An application for temporary injunction under Order XXXIX Rules 1 & 2 CPC is usually filed along with this suit (see Miscellaneous Applications).

**IN THE COURT OF [CIVIL JUDGE (SENIOR DIVISION) / COMPETENT CIVIL COURT], [PLACE]**

Civil Suit No. \_\_\_\_ of 20\_\_

[NAME OF PLAINTIFF]... Plaintiff

Versus

[NAME OF DEFENDANT]... Defendant

**AFFIDAVIT**

Affidavit of [NAME OF DEPONENT], [S/o / D/o / W/o] [NAME], aged about [\_\_\_\_] years, resident of [FULL ADDRESS WITH PIN CODE].

I, the above-named deponent, do hereby solemnly affirm and declare as under:

1. That the deponent is competent to swear this affidavit and the accompanying [suit / petition / application] has been drafted by counsel on the deponent's instructions. Its contents have been read over and explained in [LANGUAGE], understood by the deponent, and are incorporated as part and parcel of this affidavit; the factual statements are true to the deponent's knowledge or identified records, and legal submissions are based on advice believed to be true.
2. That [no same or similar suit / petition / application on the same cause of action has been filed / the following prior or pending proceedings, outcomes and orders are fully disclosed: \_\_\_\_]. Nothing material has been concealed.

DEPONENT

**VERIFICATION**

Verified at [PLACE] on [DATE] that paragraphs 1 and 2 above are true and correct to my knowledge and identified records, with legal submissions based on advice believed true. Nothing material has been concealed.

DEPONENT

Note: To be sworn before an Oath Commissioner / Notary Public and stamped as required by the applicable rules.

## **PREPARATION AND JUDGMENT APPLICATION**

Updated 11 October 2026. Complete every material fact, retain only supported alternatives, and renumber before filing. These notes support professional adaptation; they do not supply missing evidence or guarantee relief.

Filing and relief checks. Attach title/tenancy documents, possession evidence, site plan and incident proof. Check Sections 38 and 41 of the Specific Relief Act and whether declaration or possession is indispensable.

Fact-specific authority. *Anathula Sudhakar v. P. Buchi Reddy*, (2008) 4 SCC 594; judgment dated 25 March 2008, paras 11–17. Distinguish interference with existing possession from dispossession or a substantial title dispute. The judgment helps select the correct relief; it does not cure missing title or possession evidence. Read the judgment

Source: <https://indiankanoon.org/doc/540361/>

Before relying on any authority, compare the material facts, procedural stage, statutory version and precise relief; check subsequent treatment and applicable local practice. Keep the authority note separate from the signed pleading. For criminal procedure, determine Section 531 BNSS savings rather than select the code solely from the alleged offence date.