

ORDER ON I.A.No.1

The plaintiff has filed this suit for permanent injunction restraining the defendant, its representatives, or anybody claiming through the defendant from interfering into plaintiff's lawful possession and enjoyment of suit schedule properties.

The applicant/plaintiff has filed an application under Order 39 Rule 1 & 2 r/w Sec.151 of CPC, to pass an ad-interim order of temporary injunction restraining the defendant, its representatives, or anybody claiming through the defendant from interfering into plaintiff's lawful possession and enjoyment of suit schedule properties.

Perused the documents, affidavit and the plaint averments.

The plaintiff case is that she has acquired the suit schedule properties by previous owners Smt.Jaibunnisa W/o Late Abdul Karim Sab and Imtiyaz Tazunnisa, pursuant to Registered Sale Deed dated 02.05.2002. The said Sale Deed is registered dated 03.05.2022. The defendant has no manner of right, title or interest over suit schedule properties. Taking undue advantage of the situation as the suit schedule properties are vacant, frequently the persons representing the defendant committee are attempting to illegally interfere into plaintiff's lawful possession of

suit schedule properties. The documents produced by the plaintiff are the Registered Sale Deed executed in the name of plaintiff, Form No.15 encumbrances certificate from 01.04.2002 to 31.03.2004, original Khatha extract 2024-25 upto date property tax paid receipts for the year 2016-17, 2120-2021, 2021-2022, 2022-2023, 2023-2024, 2024-2025, then BBMP Khatha Certificate dated 30.05.2017 and Form No.3 self declared property tax receipt for the year 2006-07. Perused the documents, it appears that the plaintiff is in possession of the suit schedule properties. it is alleged that the defendant is interfering with the peaceful possession of the plaintiff. Therefore, at this stage prima facie case has made out by the plaintiff. Therefore, I proceed to pass the following:-

ORDER

The defendant, its representatives, or anybody claiming through the defendant are restrained by way of temporary injunction from interfering into plaintiff's lawful possession and enjoyment of suit

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schedule properties, **till next date of hearing.**

Plaintiff shall comply the provision under Order 39 Rule 3-A of C.P.C.

Issue suit summons, I.A.No.1 notice, temporary injunction order on I.A.No.1 to the defendant, subject to compliance.

Call on 16.12.2025.

(Nisharani A.C)
III A.C.C & S.J. Bengaluru.