

ORDER ON IA NO. 1

Plaintiff has filed this suit against the defendants seeking the relief of permanent injunction in respect of suit schedule property.

2. It is the application filed by the plaintiff seeking for an order of ad interim exparte temporary injunction restraining the defendants, their agents or anybody claiming under them from interfering with peaceful possession of suit schedule property pending disposal of the suit.

3. It is the case of the plaintiff that suit schedule property is absolute property of plaintiff and he is in possession. Further defendants are interfering with suit schedule property. Plaintiff has produced copy of OM, grant certificate, MR, RTC, Copy of sale deeds. The said document prima facie proves that plaintiff is in possession of the suit schedule property. Therefore, in order to avoid multiplicity of proceedings and to protect the suit schedule it is necessary to dispense Notice to defendants and issue ex parte Temporary Injunction order against the defendants. Hence, this court proceeds to pass the following :

ORDER

The defendants, their agents or any persons claiming under them are hereby restrained from interfering with suit schedule property till the next date of hearing.

***Issue Injunction order after
compliance of provisions of Order
39 Rule 3A of CPC.***

***Issue suit summons and notice
on LA No.1 to the defendants if PF
paid, returnable by R/by 17-08-
2026.***

***Addl. Civil Judge & JMFC,
Devanahalli.***

ORDER ON IA NO. 1

Plaintiff has filed this suit against the defendants seeking the relief of permanent injunction restraining the defendants or any other person claiming through them from interfering with the peaceful possession and enjoyment of suit schedule property by the plaintiff.

2. It is the application filed by the plaintiff seeking for an order of ad interim exparte temporary injunction restraining the defendants, their agents or anybody claiming under them from interfering with the plaintiff's peaceful possession over the suit schedule property pending disposal of the suit.

3. It is the case of the plaintiff that suit schedule property is absolute property of plaintiff and he is in possession of the same. Though the defendants have no right, title or interest over the same, they are causing interference with peaceful possession and enjoyment of plaintiff over suit schedule property. Hence, prays to allow the application.

4. Heard on I.A.No.I perused material on record.

5. On perusal of plaint and other documents prima facie it appears that the plaintiff is in possession and enjoyment of suit schedule property. The documents prima facie reveals that the defendants are trying to interfering with the peaceful possession of plaintiff by tress passing into the plaintiff's property. Plaintiff also lodge the complaint about the tresspass by the defendants before the concerned police. Hence at this stage it can be concluded that the plaintiff has made out prima-facie case. Therefore, in order to avoid multiplicity of proceedings and to protect the suit schedule it is necessary to dispense Notice to defendants and issue exparte Temporary Injunction order against the defendants. Hence, this court proceeds to pass the following :

ORDER

**The defendants, their agents
or any persons claiming under**

them are hereby restrained from causing any kind of interference with peaceful possession and enjoyment of plaintiff over suit schedule property till the next date of hearing.

Issue Injunction order after compliance of provisions of Order 39 Rule 3A of CPC.

Issue suit summons and notice on IA No.1 to the defendants if PF paid, returnable by R/by 30-07-2026.

***Addl. Civil Judge & JMFC,
Devanahalli.***