

ORDER ON IA NO. I

This is a suit for Permanent Injunction.

IA.I U/o. 39 Rule 1 & 2 R/w Sec.151 of CPC for grant of ad-interim injunction order restraining the defendant, his agents, supporters, family members and anybody acting on his behalf or claiming under him from interfering with the plaintiff peaceful possession and enjoyment over the vacant site property bearing Khajihosahalli Grama Panchayathi property I.D. No.150300400600700153, Katha No.136/3, measuring East to West-10.21 (33.5 feet) Meter and North to South-10.6 Meter (33 feet) totally measuring 102.70 sq meter (1105.5 Sq. feet), bounded by East – House belongs to T.M. Manjunath; West- Property belong to c. Kanthamma; North- Private property; South- Road situated at Tarabahalli Village, Jadigenahalli Hobli, Hosakote Taluk, (Hereinafter referred to as '**Plaint Schedule Property**', for brevity) till disposal of the suit.

Perused IA No.I, affidavit and documents such as copy of copy of release deed dated 28.12.2023; copy of Tax demand register extract

and Encumbrance certificate. It appears that, the plaintiff had acquired the plaint schedule property under the registered release deed dated 28.12.2023 and since, then she is in possession and enjoyment of the same. It is the specific contention of the plaintiff that the defendant without having any right, title or interest is trying interfere into the plaint schedule property. In view of above claim, I am of the opinion that, the plaintiff has got triable case at this stage. If an injunction is not granted before issuing notice, the defendant may interfere into the plaint schedule property. In such circumstances, the plaintiff will be put to irreparable loss and hardship and object of granting ad-interim temporary injunction will be defeated by delay and to avoid further complication and multiplicity of proceedings, notice is dispensed for the time being and I proceed to pass the following:

ORDER

Consequently, ex-parte ad-interim temporary injunction is granted against the defendant from interfering into the plaint schedule property till next date of hearing.

Issue ad-interim ex-parte temporary injunction order to the defendant after complying

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the provision of Order 39 Rule-3 of C.P.C.

Issue suit summons to the defendant and
emergent notice on IA No.I to the defendant.

Returnable by:

**Prl. Civil Judge & JMFC.,
Hosakote.**