

ORDERS ON IA No.2

This is a suit filed by the plaintiffs for the relief of Permanent Injunction against the defendant in respect of the suit schedule property. I.A. No.2 is filed by the plaintiffs under **Order 39 Rule 1 and 2 R/w Section 151 of CPC** seeking an ad-interim order of temporary injunction restraining the defendant, either through himself or his men, agents, servants and supporters or Officers from interfering in any manner with the plaintiffs' peaceful possession and enjoyment of the suit schedule property in or over or any of its portion till disposal of the suit by dispensing notice to the defendant in the interest of justice and equity.

2. The IA.No.2 is supported with the affidavit of the plaintiff No.3. I have gone through the affidavit and the documents produced by the plaintiffs. The plaintiffs have stated that they are cultivating the suit schedule property by growing areca and coffee and it is fenced with barbed wire and the defendant being the neighbour having an agricultural property is trying to dispossess the fence in the northern and western side of the suit schedule property forcibly. If the defendant succeeds in his act then this can cause multiplicity of proceedings. At this stage, I'm of the view that the plaintiffs have made out prima-facie case. Hence, I proceed to pass the following:

ORDER

I.A. No.2 filed by the plaintiffs under **Order 39 Rule 1 and 2 R/w Section 151 of CPC** is hereby allowed.

The defendant, either through himself or his men, agents, servants and supporters or Officers are hereby restrained by way of temporary injunction order from interfering in any manner with the plaintiffs' peaceful possession and enjoyment of the suit schedule property in or over or any of its portion till next date of hearing.

The plaintiffs are hereby directed to comply the exparte temporary injunction under the provision of **Order 39 Rule 3 of CPC** without fail.

Issue suit summons, notice on **IA No.2** and temporary injunction order to defendant after compliance, returnable by **15.04.2025**.

Sd/- 17.03.2025.
**Civil Judge & JMFC,
Koppa.**