

ORDERS ON AD-INTERIM PRAYER

The plaintiff has filed the above suit seeking for a decree of bare injunction restraining the defendants from trespassing into or disturbing her peaceful possession, occupation and enjoyment of the suit schedule property i.e., the land to an extent of 1.35 acres in Sy. No.83/3 (Old Sy. No.83 & 83/P1) of Makonahalli Village.

2. The plaintiff's case is that she is in peaceful possession and enjoyment of the suit property in which she was in unauthorized occupation and got authorized the said occupation under Saguvali Slip No. Sc.121/2011-12 dated 30.11.2011. The revenue entries of suit property is also mutated to her name vide MR No. 32/2011-12 and that the suit property is pakka phoded vide the order of ADLR, Mudigere, in ref. No. 58/2017-18 dated 02.01.2018 and the order dated 18.01.2018 in LNDCR.44/2017-18 passed by the Tahsildar, Mudigere Taluk. There is a old fence standing around the boundaries of suit property. The defendants are not the adjacent land owners and have no right, title or interest over the suit property, yet on an instigation of defendant No.2 and 3, the defendant No.1, on 16.09.2025, unlawfully entered upon the eastern side of the suit property and attempted to interfere with the plaintiff's possession over

the same. On the above averments, the plaintiff having maintained the suit, has also sought for ad-interim temporary injunction.

3. Having heard the learned counsel for plaintiff on ad-interim prayer, this Court has gone through and carefully perused the materials supplied by the plaintiff.

4. The plaintiff has produced the copies of Saguvali slip dated 30.11.2011, RTC's and the phodi sketch of the suit property which would prima-facie support the contention of the plaintiff regarding her possession over the suit property. It is the specific assertion of plaintiff that the defendants who are not the adjacent land owners and have no right, title or interest over the suit property, have unlawfully entered upon the eastern side of the suit property and attempted to interfere with the plaintiff's possession over the same. On considering all the above aspects and also the apprehension of the plaintiff, this Court at this stage is of view that if the ex-parte temporary injunction as sought for is not granted, then the plaintiff will be put at injury which cannot be compensated in terms of money. Hence, the following:

ORDER

Issue ad-interim order of temporary injunction as sought for in IA. No.I, till next date of hearing.

Plaintiff shall comply the mandates of order 39 Rule 3 of CPC.

Issue suit summons and emergent notice on I.A. No.I to the defendants. R/by:23.10.2025.

Sd/-

(Vishwanath.A)
Prl. Civil Judge & JMFC
Mudigere.