

Heard on I.A.No.1, by Sri H.S., Advocate for plaintiff. Perused the plaint. IA No.1 and affidavit annexed to it and also the documents.

2. It is submitted by the plaintiff that he is the owner of the 'A' schedule property. As per the survey report submitted in RSA No.1639/2013 the defendants encroached 'B' to 'D' schedule properties and now trying to construct in 'B' to 'D' schedule properties. Hence plaintiff prays to grant exparte TI against defendants as prayed in IA No.1.

3. Perused the plaint. The plaintiff has filed this suit for rectification of boundaries and for possession of 'B' to 'D' schedule property and for permanent injunction. On perusal of record submitted by the plaintiff, it is noticed that the plaintiff purchased 'A' schedule property. Further the survey report submitted in RSA No.1639/2013 is also produced by the plaintiff. On perusal of the said survey report, it is to be noted that 'B' to 'D' schedule properties is encroached by the defendants. The apprehension of the plaintiff is that the defendants trying to construct in 'B' to 'D' schedule properties. If the defendants constructed in 'B' to 'D' schedule properties, the very purpose of the filing of the suit will be defeated. Hence in order to avoid further complication at this stage, it is just

and necessary to restrained the defendants from constructing in 'B' to 'D' schedule properties. Hence, I proceed to pass the following:

**ORDER**

**Pending disposal of I.A. No.1 the defendant No.1 to 3 are hereby restrained from making construction over 'B' to 'D' schedule properties in any manner till the next date of hearing by way of exparte TI.**

**Plaintiff to comply order 39 rule 3A of CPC.**

**Issue emergent notice on I.A. No.1 to the defendants returnable by 01.07.2021.**

Sd/-  
**SENIOR CIVIL JUDGE AND JMFC.  
MUDIGERE.**