

**ORDER ON I.A.NO.I filed under Order 39 Rule
1 and 2 r/w Section 151 of CPC**

The applicant/ plaintiff has filed I.A. No.I under order XXXIX Rule 1 and 2 r/w Section 151 of C.P.C., to grant Ad-interim exparte temporary injunction restraining the opponents/ defendants, their men, agents, workers, servants, labourers and all persons claiming through or under them from dumping the mud / soil over C schedule property and consequently raising the ground level of C schedule property in any manner, till the disposal of the above suit.

Perused the Complaint, affidavit annexed to I.A. No.I along with documents. Further the plaintiff applicant in the application has stated that the plaintiff are the owners are in possession of plaint A schedule property and a 'ಹಳ್ಳಿ' is existing in between the property situated at honnavalli and sringeri villages on east and western side as per sketch. It is further stated that the C schedule properties of the defendants. It is alleged that without obtaining any permission the defendants are illegally dumping the soil at the C schedule property and have raised the ground level of the C schedule property and as such there is likelihood of flow of rain water towards the A schedule property during the heavy rain fall. As such the above suit and application is filed.

This Court has carefully perused the documents such as RTCs, sketch, photographs, copies of title deed etc.,

On careful perusal of the affidavit averments, documents filed by the plaintiff, the plaintiff has not made out a prima-facie case to have the fruits of the Ex-parte injunction order at this juncture. This Court proceeds to pass the following:

ORDER

Issue emergent notice on I.A.I to defendant and suit summons to defendant If PF is paid.

Call on: 04.06.2026.

Sd/- 04.06.2026.
C.J & JMFC, Sringeri.