

Heard the counsel for the plaintiff on IA.No.I and II. Perused the materials available on record.

The plaintiff has filed I.A.No.I seeking permission to dispense with the issuance of statutory notice to the defendant u/s. 249 of Karnataka Panchayath Raj Act. Perused I.A.No.I and satisfied with the reasons and hence, I.A.No.I is allowed.

I.A.No.II is filed by the plaintiff against the defendant Under Order XXXIX Rules 1 and 2 r/w. Sec.151 of C.P.C. seeking ex parte ad interim order of temporary injunction restraining the defendant or anybody on his behalf from formation of road on suit 'B' schedule property or causing any obstruction to the plaintiff's peaceful possession and enjoyment of the suit 'B' schedule property in any manner, pending disposal of the suit in the interest of justice and equity.

The plaintiff has filed the suit for permanent injunction in respect of suit schedule property. Keeping in mind the nature of suit and on perusal of materials available on record, I deem it proper to hear the defendant before passing any orders on I.A.No.II. Hence, I proceed to pass the following:-

ORDER

Issue Emergent Notice on
I.A.No.II and suit summons to the
defendant, if PF paid.

Await summons and notice
by:

sd/-

**Civil Judge & Addl. JMFC.,
Tarikere**