

KACM710000932022



Plaintiffs' counsel present. Heard on IA.No.1 and 2.

Perused the plaint, I.A.No.1 and 2 as well as documents placed by the plaintiffs' on record.

This suit is instituted by the plaintiff under representative capacity for the relief of mandatory injunction against the defendant No.1, directing the defendants No.2 to 4 to remove/dismantle the illegal construction made over the suit schedule property and for permanent injunction against defendants, their followers, representatives or anybody acting on their behalf with the villagers peaceful possession and enjoyment over the suit schedule property and with Court cost.

Along with the plaint I.A.No.1 is filed by the plaintiff seeking permission to permit the plaintiffs' to sue the present suit in representative capacity on behalf of Amruthapura villagers.

Along with the plaint I.A.No.2 is filed by the plaintiff seeking grant an order of exparte temporary injunction restraining the defendant No.1 from further construction over the suit schedule property.

Perused material on record and it is observed that as the plaintiffs' seek to relief of mandatory injunction against the defendant No.1, directing the defendants No. 2 to 4 to remove/dismantle the illegal construction made over the suit schedule property and for permanent injunction against defendants, their followers, representatives or anybody acting on their behalf with the villagers peaceful possession and enjoyment over the suit schedule property. As such, the application filed by the plaintiff U/Or.1 Rule 8 of CPC deserves to be allowed. This Court is of the opinion that in consonance with issuance of summons to the defendants notice to general public in the interest of public needs to be issued. Further, at this stage no prima-facie case has been made out by the plaintiff to grant exparte temporary injunction against the defendants. Therefore, I proceed to pass the following :

**ORDER**

IA.No.1 filed by the plaintiff  
U/Or.1 Rule 8 of CPC is hereby  
allowed.

The plaintiff is hereby permitted  
to contest the case in representative  
capacity on behalf of the villagers of

Amruthapura and issue summons to defendants.

Plaintiff is hereby directed to take paper publication vide two daily news papers, one in English and one in Kannada which is widely circulated.

For paper publication within 18.02.2022 and call on 18.03.2023.

Issue emergent notice on I.A.No.2 and suit summons to defendants through R.P.A.D if P.F is paid.

Sd/-

**(ROOPA.M.D)**

Civil Judge & Addl. J.M.F.C;  
Tarikere.