

Heard learned counsel for plaintiff on IA filed under Order 39 Rule 1 and 2 of CPC. For orders, call later.

Addl. Civil Judge and JMFC,
Gundlupet.

**ORDERS ON I.A.NO.I FILED U/O 39 RULE 1 AND 2
OF CPC**

The Plaintiff has filed IA No.I U/O 39 Rule 1 and 2 of CPC praying to grant temporary injunction restraining the Defendants, their agents, servants, anybody claiming through them causing dispossession from the peaceful

possession and enjoyment of the plaintiff over the suit property till the disposal of the suit.

2. The present suit is filed for the relief of permanent injunction. Along with the suit plaintiff has maintained the present I.A and prayed to restrain the defendants from disposing him from the suit property. The learned Counsel for plaintiff argued that the suit property is originally belongs to grandfather of the plaintiff and after partition the suit property was fallen into the share of the plaintiff. That, from the date of partition the plaintiff is in peaceful possession and enjoyment of the same. The defendants, without having any manner of right, interest and title over the suit property, they are trying to dispossess the plaintiff from the suit property.

3. In support of his arguments, learned counsel for plaintiff has relied the records of right, index of land, RTC extracts pertains to during the year 1990 to 1995, judgment and decree passed in OS No. 304/1992 and encumbrance and certificate and endorsement issued by concerned police. Those documents are prima facie supports the arguments canvassed by learned counsel for plaintiff. Therefore, having considering the pleadings as well as the arguments canvassed by learned counsel for the plaintiff. This Court feels that if the interim order is not granted, the very purpose of the suit would be defeated. Hence the following order:

ORDER

The Defendants their agents, servants, family members, representatives or anybody claiming through them are hereby restrained c by way of temporary injunction by causing dispossession from the peaceful possession

and enjoyment of the plaintiff over the suit schedule property till next date of hearing.

Accordingly, the plaintiff is hereby directed to comply the order 39 Rule 3(a). Issue exparte T.I order if provisions of Order 39 Rule 3(a) of CPC are complied with.

Issue orders on IA No.I to defendants and suit summons to defendants if sufficient copies are furnished and PF paid.
Returnable by : 14.10.2025.

(Girisha.R.B.)
Addl. Civil Judge & JMFC.,
Gundlupet.