

OS 61/16

I have heard on I.A No. 1 and perused the plaint averments, I.A No. 1, annexed affidavit and other materials on record.

2. The plaintiff has filed this suit for declaration and for permanent injunction. The documents placed before the Court by the plaintiff prima facie establishes that there is a case to go for trial. It is the grievance of the plaintiff that the defendants are trying to interfere with his peaceful possession and enjoyment of the suit schedule B property. If the defendants are succeeded in their act then it is difficult to protect the possession by the plaintiff. So it is just and necessary to preserve the property as it is as on the date of filing of the suit. So if an order of exparte temporary injunction is not granted then the defendants may take the possession of the property. Hence, the justice demands this court to pass exparte temporary injunction in favour of the plaintiff at this stage by dispensing the I.A No. 1 notice. Accordingly, I proceed to pass the following -

## **ORDER**

The defendants or anybody on their behalf are hereby restrained from interfering with the peaceful possession and enjoyment of the suit schedule B property which is clearly mentioned in the application by the plaintiff by an order of ex parte temporary injunction till filing of written statement.

The plaintiff to comply Order 39 Rule 3(a) of CPC.

Issue TI order and notice on I.A No. 1 and suit summons to the defendants returnable by 18.06.2016.

Addl. CJ. & JMFC, Kollegal.