

OS 3/16

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 plaintiffs have filed this suit for permanent injunction. The documents placed before the Court by the plaintiffs prima facie establishes that there is a case to go for trial. It is the grievance of the plaintiffs that the defendants are trying to interfere with their peaceful possession and enjoyment of the suit schedule property. If the defendants are succeeded in their act then it is difficult to protect the possession by the plaintiffs. 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 plaintiffs 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 property by plaintiffs by an order of exparte temporary injunction till filing of written statement.

The plaintiffs 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 29.01.2016.

Addl. CJ. & JMFC, Kollegal.