

ORDERS ON I.A.NO.I

The plaintiff filed the above I.A. by praying to dispense the issue of notice against the defendants. The above suit is filed for Declaration and Injunction and sought for declare the absolute ownership of the plaintiff over the suit schedule property and sought for permanent injunction.

Perused I.A. and supporting affidavit. On perusal of the same, at this stage, this court is of the view that, the plaintiff has made out grounds to dispense the issue of notice against the defendants as sought for in the I.A.

Senior Civil Judge & JMFC,
Arakalagud

ORDER ON I.A.NO.II

I have perused the plaint averments, I.A.No.II and annexed affidavit

and other materials on record. The plaintiff filed the suit for the relief of declaration of his ownership and also sought for temporary injunction restraining the defendants from destroying the crops and for restrain the defendants from interference. In support of the I.A., the plaintiff produced the following documents i.e., xerox copy of the sale deed dated:09-04-1965, xerox copy of the sale deed dated:13-04-1973, copy of the sale deed dated:06-02-1980 and the copy of the survey sketch pertaining to Sy.No.11/4 of Hampapura Village, Mutation Register Extract in M.R.No.T.30/2019-20 dated:03-05-2025, RTC pertaining to the suit property. On perusal of the above materials on record, it prima-facie appears that, the plaintiff has got case to go for trial. Therefore, it is too premature to disbelieve the apprehension of the plaintiff as pleaded in the I.A. In the circumstances, it is just that, notice of I.A.No.I has to be dispensed with and some interim order has to be passed, otherwise the purpose of filing of the suit by the plaintiff may not serve for him. Hence, I pass the following:

ORDER

Issue exparte temporary injunction order against the defendants No.1 to 7 restraining the defendants from destroying the crops in the suit property in any manner as sought for in the I.A.No.II till the next date of hearing.

The plaintiff to comply Order XXXIX Rule 3 of C.P.C. On compliance, issue temporary injunction order, notice of I.A.No.II and issue summons to the defendants No.1 to 7 if P.F. is paid.

O.S. No.114/2025

Call on: 04-07-2025.

Senior Civil Judge & JMFC,
Arakalagud