

Heard arguments on I.A.No. 1 & 2.

Kept by for orders

ORDERS ON I.A. NO.1 & 2

The plaintiff has filed I.A.No.1 U/O. 39 Rule 3 of CPC praying to dispense the issuance of notice on I.A.No.2 and I.A.No.2 U/O.39 Rule 1 & 2 of CPC praying to issue ad-interim Ex.parte Temporary Injunction order against defendant from interfering into the peaceful possession and enjoyment of plaintiff over the suit schedule property till disposal of the suit.

In the affidavits annexed to the application it is stated that, the suit schedule property was originally belonged

to Patel Dyavappagowda who is resident of Anniganahally village and it was purchased by the plaintiff through a registered sale deed dated: 12.04.1978 and the plaintiff is in peaceful possession and enjoyment over the suit schedule property by growing crops. The defendant without having any kind of right, title and interest over the suit schedule property, is unnecessarily interfering into the peaceful possession and enjoyment of plaintiff over suit schedule property. On these grounds the plaintiff has sought ad-interim temporary injunction order against defendants.

On perusal of records, the plaintiff has produced material documents before the Court and made out prima facie case that the plaintiff is absolute owner in possession and enjoyment of suit schedule property. As such the plaintiff being absolute owner in possession and enjoyment of suit schedule property, no one can interfering into her peaceful possession without having any valid title

or possession and property and right of the plaintiff have to be protected by the Court. Hence, in order to protect right of plaintiff and property it is necessary to grant ad interim Ex.parte temporary injunction order against defendant. Hence, Court proceeds to pass the following;

ORDER

I.A.No.1 U/o 39 Rule 3 is hereby allowed.

Issue Exparte temporary injunction order against defendant from interfering into peaceful possession and enjoyment of plaintiff over suit schedule property till next date of hearing.

The plaintiff shall comply the order and report the same to the Court.

Issue Emergent notice on I.A.No.2 and suit summons to defendant by 02.01.2026.

I/C 2nd Addl.Civil Judge & JMFC.,
Arakalagudu

