

Order on I.A. No. I

1. Perused IA.No.I, affidavit of the plaintiff and documents produced by him.

2. It is the case of the plaintiff that, he has filed the suit for the relief of declaration and Permanent Injunction against the defendants. It is stated that the suit 'C' schedule property is the road belonging to the Panchayath and they are using the said road for their access and which is also used by the public. Now, the defendants are obstructing for the access of the plaintiff through the said road by putting agricultural wastes. Hence, he prays to allow IA.No.I.

3. On perusal of the plaint averments and documents produced by the plaintiff, prima-facie it appears that the plaintiff has made out sufficient grounds to grant interim ex-parte temporary injunction order. If the defendants are not restrained from obstructing the suit schedule property, the very purpose of filing of the suit will be defeated and it will lead to multiplicity of the proceedings. Hence, I proceed to pass the following :

ORDER

I.A.No.I filed U/O-39, Rule-1 & 2 of CPC is hereby allowed and the defendants are hereby restrained from obstructing the access of the plaintiff through 'C' schedule property to their lands i.e., suit 'A' and 'B' schedule properties, by any mode or manner till next date.

The plaintiff shall comply order XXXIX Rule III(A) of CPC.

Issue notice on order passed on IA.No.I and SS to defendants.

**Senior Civil Judge & JMFC,
Arsikere.**