

Order on I.A. No. I

1. Perused IA.No.I, affidavit of the plaintiff No.2 and documents produced by him.

2. It is the case of the plaintiffs that, they have filed the suit for the relief of declaration and Permanent Injunction against the defendants. It

is stated that they are the owners and in possession of the suit schedule property and plaintiff No.1 has purchased the same under registered sale deed dated 06.12.2007 from one Sri.H.C.Marulappa and his son Sri.H.M.Jayaprakash and changed katha in the name of plaintiff No.1 as per M.R.No.6/2007-08 and paying tax for the said property and they have grown coconut saplings in the said property and the defendants are having no manner of right, title, interest, possession and enjoyment over the suit schedule property. Now, the defendants are trying to interfere with the peaceful possession and enjoyment of the plaintiffs' over the suit schedule property. Hence, he prays to allow IA.No.I.

3. On perusal of the plaint averments and documents produced by the plaintiffs, prima-facie it appears that the plaintiffs have made out sufficient grounds to grant interim ex-parte temporary injunction order. If the defendants are not restrained from interfering with 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 the pass the following :

ORDER

I.A.No.I filed U/O-39, Rule-1 & 2 of CPC is hereby allowed and the defendants or

anybody under them are hereby restrained from interfering with the peaceful possession and enjoyment of the plaintiffs' over the suit schedule property, by any mode or manner till next date.

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

Issue notice on order passed on I.A.No.I and mediation notice to defendants and both parties are directed to appear before the mediation on 07.01.2026.

Await mediation report 12.01.2026.

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