

## **ORDERS ON I.A. No.1**

The counsel for the plaintiffs filed I.A No.1 U/o 39 Rules 1 and 2 of CPC and praying to restrain the defendants from interfering with the peaceful possession and enjoyment of the plaintiffs over the suit schedule property till disposal of the suit in the interest of justice.

2. Perused the plaint averments, application averments and statements made in the affidavit and also perused the documents produced by the plaintiffs. On perusal of the same prima facie it discloses that originally the land bearing Sy.No.32 measuring 05 acres 21 guntas situated at Gurumaranahalli belongs to one Boraiah having acquired by virtue of grant. As per the grant the Boraiah became owner of 05 acres 21 guntas. Thereafter Boraiah and his elder brother Kalaiah partitioned the said land. As per the partition 01 acre 14 guntas fell to the share of Kalaiah and remaining 03 acres 33 guntas in Sy.No.32 fallen to the share of said Boraiah. Then the Boraiah executed registered Will dated 27.11.1979 in favour of Lakshamma, Gowramma who is the plaintiff No.1 and 2 and also Late Girish. Then the said land was converted and 03 acres 15 guntas had been sold to defendants in various sale deeds. Remaining land of 22 guntas is non converted land

standing in the name of plaintiff No.1 and 2 and Late Girish.

3. Further on perusal of the file it discloses that measuring 22 guntas in Sy.No.32/1 i.e., suit schedule property is now standing in the name of plaintiff No.1 and 2 and Girish. At this juncture the plaintiffs are entitled for exparte interim relief as sought by her in the application. Hence this court proceed to pass the following:

### **ORDER**

The I.A No.1 filed by the plaintiffs is hereby allowed.

The defendants are hereby restrained from interfering with the peaceful possession and enjoyment of the plaintiffs over the suit schedule property till next date of hearing.

The plaintiffs shall comply with Order 39 Rule 3 of CPC failing which the above Order stands recalled.

Issue suit summons and notice on IA No.I to defendants, if P.F paid.

Returnable by 27.04.2026.

***Prl. Civil Judge & Jmfc,  
Channarayapatna.***

