

**Orders on I.A.No.I & II**

Sri.STN, counsel for Plaintiff has filed this suit against the defendants for the relief of Permanent injunction and also for mandatory injunction. The plaintiff has also filed I.A.No.I seeking for ad-interim order of temporary injunction against the defendants restraining them from interfering with the peaceful possession and enjoyment of plaintiff over the suit schedule property till disposal of the suit.

Further the counsel for plaintiff filed one more IA No.II seeking for ad-interim order of temporary injunction against the defendants restraining them from publishing/posting any material/posts/videos in the social media with respect to the suit schedule property till disposal of the suit.

Heard, learned counsel for the plaintiff. Perused the plaint averments, I.A. & Affidavit and supported documents.

The plaintiff further submitted in the affidavit accompanying with IA No.I & II that, he is the absolute owner and in lawful possession of the suit schedule property bearing Sy. No.83 measuring to an extent of 20.00 acres of land situated at Biddrahalli village, Kandalike Hobli, Saraguru Taluk. The defendants have no manner of right, title, interest or possession over the suit property. Despite this, the

defendants and their supporters and representatives are illegally and high handedly attempting to interfere with the plaintiff's peaceful possession and enjoyment over the suit property. No action has been taken by the police authorities despite the police complaint lodged by this plaintiff, and since the defendants are continuing their illegal and high handed acts, the plaintiff has filed this suit along with the present applications.

In support of his version, plaintiff has furnished endorsement issued by Spl. Deputy Commissioner, RTC extracts, MR, sketch, family tree, death certificate, Adhar card, pan card, Marks card, Study certificate, TC, copy of complaint along with NCR, representation, GPA, and photographs.

On perusal of the genealogical tree in page 31 of the document there are five members of the plaintiff's family, but the suit is filed by one Radhakrishna. The suit property to an extent of 20.00 acres is appearing in the name of Suvarnamanni W/o Nanjaraje urs. The RTC produced by the plaintiff is recent one. In page 29 of the document the plaintiff produced the MR, the said MR also recent one bearing MR T2/2024-25. Therefore, this Court opined that before granting ad-interim injunction in favor of the plaintiff against the defendants, it is better to issue notice to the defendants and opportunity has to be given to the defendants to contest the said

IAs. On mere entry of the name of plaintiff it cannot come to the conclusion that he is in possession in the suit property until corroborated with evidence and documents. Therefore, this Court opined that it is better to issue notice on IA No.I & II to the defendants/opponents.

On perusal of the records, the defendants' presence is necessary before granting the ex-parte temporary injunction.

Hence issue emergent notice on IA.No.I & II and suit summons to the defendants, R/by 12.09.2024

Addl.C. J & JMFC.,  
H.D.Kote.