

**ORDER ON IA No.I and II**

Perused the plaint, documents and affidavit in support of IA.No.I and II.

The plaintiffs have filed the present suit for the relief of declaration and mandatory injunction against the defendants.

The defendants are the Government Servants. Hence, the plaintiffs have filed the application U/s 80(2) of CPC, prays for dispense the notice U/s 80 of CPC and permitted them to file a suit without serving notice as contemplated U/s 80 of CPC.

Perused plaint averments. The plaintiffs stated that the defendants have trying to interfere with the peaceful possession by way of cutting mango trees existing in the plaint schedule property. If the defendants have cutting the mango trees, definitely the parties are put great hardship and if the plaintiffs are waiting 60 days as per Section 80 of CPC the suit will be infructuous. Therefore, the application filed by the plaintiffs U/s 80(2) of CPC is allowed and permitted the plaintiffs to institute a suit without serving the notice as required by sub section 1 of section 80.

The plaintiffs have seeking interim relief against the defendants restraining from interfering with the peaceful possession over the suit schedule property. As per section 80(2)(a) the court shall not grant

any relief except after giving to the Government or Public Officer as the case may be a reasonable opportunity of showing cause in respect of the relief prayed in the suit. Hence, in view section 80(2)(a) of CPC, this court needs hearing before passing any order against the defendants who are the Government Servants. Hence, this court proceed to pass following

**ORDER**

Issue emergent notice on IA No.I and II to the defendants along with suit summons

Call on: 19.06.2025.

**Senior Civil Judge & JMFC.,  
K.R.Nagar.**