

ORDERS ON I.A.NO.1

The plaintiff has filed this suit for Permanent Injunction and along with plaint, the plaintiff has also filed I.A.No.1 U/O.XXXIX Rules 1 and 2 of C.P.C., seeking an ad-interim Temporary Injunction against the defendants from not to put up any further construction by encroaching the portion of suit schedule property till disposal of the suit.

Heard the learned Counsel for plaintiff and perused the materials on record. In the affidavit filed in support of IA No.1 the plaintiff has stated that, she is in possession and enjoyment over the suit schedule property and she is paying tax to the concerned Grama Panchayath. The defendants have no manner of right, title or possession over the suit schedule property, two months ago the Defendant No.2 with support of Defendant No.1 and instigation of Defendant No.3 and 4 remove the coconut trees and tried to dig out the south eastern corner of suit schedule property. When she questioned them the Defendant No.3 with ill will support of other defendants making arrangements to put up construction. Hence, she has approached this Court for necessary relief.

Considering the documents, pleadings and submissions of learned counsel for plaintiff in the opinion of this court that before pass any order on IA No.1 this court feel it is just of proper to hear both parties and pass an appropriate order. Hence this court proceed to pass the following:-

ORDER

Issue emergent notice of IA No.1
and suit summons to the defendants
through special bailiff if necessary
process fee paid.

Call On: 19.12.2024.

(SATHISHA. K.G.)
Pri. Civil Judge & JMFC.,
Nanjanagudu.

Pri. Civil Judge & J.M.F.C.,
NANJANGUD.