

ORDERS

Plaintiff has filed this suit against the defendant for the relief of permanent injunction in respect of the suit schedule property.

2. The Plaintiff has also filed I.A.No.II U/o.39, Rule 1 and 2 R/w 151 of C.P.C., praying to grant ex-parte ad-interim temporary injunction order against the defendants by restraining from illegally interfering with the plaintiff's peaceful possession and enjoyment of the suit

schedule property in any manner till pending disposal of the suit.

3. The Plaintiff has produced the copy of R.T.C., Mutation Register, Tax paid receipt, Endorsement given by police, Complaint copy, photographs and C.D.

4. On perusal of the pleadings and documents filed by the plaintiff, it is crystal clear that presently possession of the I.A./suit schedule property is standing in the name of plaintiff, the defendants are interfering with the plaintiff's possession. At this stage, this Court is of the opinion that, the Plaintiff has made out prima-facie case to grant temporary injunction. If temporary injunction is not granted as prayed, the purpose of filing the suit would be defeated and also it would cause hardship and inconvenience to the plaintiff. Thus, ex-parte temporary injunction may be granted by dispensing with the notice to the defendants on I.A.No.II as the very object of granting injunction would be defeated by delay if notice is issued.

Therefore, by considering the facts and circumstances, I proceed to pass the following:-

ORDER

Issue ad-interim temporary injunction against the defendants. The defendants, restraining the defendants from interfering into the plaintiff peaceful possession and enjoyment of the I.A./suit schedule property in any manner till disposal of the suit.

The plaintiff is hereby directed to compliance under Order 39 Rule 3(a) of C.P.C.

Issue T.I Order on I.A.No.II and suit summons to the defendant.

Returnable by:

**Addl. Civil Judge & J.M.F.C.,
T.Narasipura.**