

For orders by:03.06.2022.

**Addl. C.J & JMFC
T.Narasipura**

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 read with Section 151 of C.P.C., praying to grant ex-parte ad-interim temporary injunction order against the defendant by restraining his agents, anybody acting on his behalf from illegally interfering with the plaintiff peaceful and enjoyment of the suit schedule property in any manner till pending disposal of the suit.

3. The plaintiff has produced the Copy of M.R No.1/1999-2000, Tax paid Receipts, Patta Book, Legal Notice, Postal Receipt and Acknowledgment, copy of Gift Deed and Will

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 defendant is 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 defendant 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 defendant. defendant or any persons on his behalf are hereby restrained from interfering into the plaintiff's peaceful and enjoyment of the I.A./suit schedule property in any manner till next date of hearing.

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:20.06.2022.

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