

*Case Called out. Heard
arguments on IA No.2.
For orders.*

ORDER ON I.A No.2

Instant suit has been filed by the plaintiff against the defendants for the relief of Permanent Injunction.

The plaintiff has filed I.A.No.2 under Order 39 Rule 1 & 2 of CPC praying for an order of temporary injunction against the defendants, their attorney holders, agents or any person acting on their behalf from obstructing the plaintiff from constructing the building in the suit schedule property bearing Katha No.1/171, E-swatthu property

No.152200702010803577 measuring East to West 3.6576 meter(12 feet) and North to South 12.192 meter(40 feet) totally measuring 44.59 Sq. feet bounded on the East by: House of Somanna, West by: Road, North by: House of son of Sannachari and South by: Vacant site of R.Siddappaji, situated at Talakadu Village and Hobli, within the limits of Talakadu Grama Panchayath, T.Narasipura Taluk, Mysuru District in any manner till pending disposal of the suit.

Heard the arguments on I.A.No.2 and perused the documents produced by the plaintiff annexed to the plaint.

The plaintiff has produced the Sale Deed dated 24.05.1988, which discloses that the defendant No.1 by name R.Siddappaji had purchased the suit schedule property from one Ramachari S/o Puttachar for Sale Consideration of Rs.1,500/-, further the plaintiff has produced the Registered Sale Deed dated 15.11.2023 which discloses that the defendant No.1 along with his wife and children have sold the suit schedule property to the plaintiff and as such the plaintiff is the absolute owner in possession of the suit schedule property, further the plaintiff has produced the E-swattu katha which discloses that the katha of the suit schedule property is exclusively standing in the name of the plaintiff and photographs. By virtue of the pleadings and the documents produced by the plaintiff, this Court observes that

the plaintiff is the absolute owner in possession of the suit schedule property and as such the plaintiff has made out prima-facie case at this stage to grant ad-interim ex-parte temporary injunction against the defendants as prayed for and accordingly the I.A. No.2 deserves to be allowed by dispensing issuance of notice to the defendants to meet the ends of justice. Hence, this court proceeds to pass the following:

ORDER

Issue Exparte Temporary Injunction Order against the defendants, their attorney holders, agents or any person acting on their behalf from obstructing the plaintiff from constructing the building in the suit schedule property and from causing any damage to the building therein in the suit schedule property bearing Katha No.1/171, E-swatthu property No.152200702010803577 measuring East to West 3.6576 meter(12 feet) and North to South 12.192 meter(40 feet) totally measuring 44.59 Sq. feet bounded on the East by: House of Somanna, West by: Road, North by: House of son of Sannachari and South by: Vacant site of R.Siddappaji, situated at Talakadu Village and Hobli, within the limits of Talakadu Grama

*Panchayath, T.Narasipura Taluk, Mysuru
District in any manner till next date of hearing.*

*The plaintiff shall comply with Order 39
Rule 3(a) of CPC. Issue T. I. Order notice to
defendants and issue suit summons and notice
of I.A.No.2 to the defendants. Office is directed
to issue C/C of this order only on the
compliance of Order 39 Rule 3(a) of the CPC by
the plaintiff.*

Call on 12.01.2026

**PRL. CIVIL JUDGE & JMFC.,
T.NARASIPURA.**