

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 filed I.A.No.I 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 defendant No.1 and 2, by restraining their agents, servants, family members, Power of Attorney holder or any other persons acting on their behalf from 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 Certified copy of sale deed dated 06.08.1974, Certified copy of M.R No.123/1991-92, Certified copy of R.T.C from 1191 to 2001, Photo copy of will dated 26.03.1992, Photo copies of M.R No.77/2006-07 and M.R.No.H118/2017-18, Photo Copy of Sale deed dated 11.01.2018, Certified Copy of R.T.C pertaining to suit schedule property.

4. On perusal of the pleadings and documents filed by the plaintiff, it is crystal clear that presently the I.A./suit schedule property is standing in the name of plaintiff, the defendant No.1 and 2 are trying to interfering over the suit schedule properties. 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.I 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. Defendants, their agents, servants, family members, Power of Attorney holder or any other persons on their behalf are hereby restrained from interfering into the plaintiff's peaceful possession 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.I and suit summons to the defendants.

Returnable by: 14.11.2022

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