

ORDERS ON I.A. No. I

The Plaintiff filed I.A. No.I U/o 39 rule 1 & 2 of CPC., along with affidavit and prayed for an order temporary injunction restraining the defendants their agents, men, subordinates and servants etc from causing interference in the peaceful possession and enjoyment of plaintiff in the suit properties till disposal of the suit.

Heard. Perused the plaint averments, application, affidavit and plaint relied documents. The plaintiff filed the suit for the relief of permanent injunction against the defendants. The plaintiff has produced

the, Certified copy of 02 sale deeds dated 10-10-2022, Computerized mutation and RTC from the year 2010-2024 and hand written RTC from 1988 to 1993 in respect of the suit properties. The grievance of the plaintiff is that, now the defendants are trying to cause interference in the plaintiff possession in the suit schedule properties. The Hon'ble High Court of Karnataka in Kanna Belchada v/s Ramappa Poojari (AIR 1976 Karnataka 67) held " No temporary injunction without notice-not withstanding anything in any law no civil court shall grant temporary injunction in respect of an agricultural land except after service of notice of the application to the defendant". The Hon'ble High Court of Karnataka issued circular dtd:19-9-1975 circular no.1/1975 in this regard. Admittedly the present suit land is agricultural land. Therefore it is necessary to hear the other side before

passing orders on the I.A. in the above circumstances. I proceed to pass the following:

ORDER

Issue emergent notice of IA No.I & suit summons to the defendants .

Returnable by : 24-08-2024.

Sd/-
Civil Judge & JMFC,
Devadurga.