

ORDERS ON I.A. No. I

The plaintiff counsel filed I.A.No.I U/o XXXIX rule 1 & 2 of CPC. along with affidavit and prayed for an exparte order of temporary injunction restrain the defendants, their agents, servants, legal heirs or any other person claiming through them from causing interference in the peaceful possession and enjoyment of plaintiff over suit property till disposal of the suit as prayed in I.A.No.I.

Heard. Perused the plaint averments, application, affidavit and plaint relied documents. The plaintiff has filed the suit for the relief of Permanent Injunction in respect of suit property against the defendants. The plaintiff has produced the following documents: the plaintiff has produced the certified copy of the registered sale deed dated 10-07-2025 executed by the previous vendor by name Smt. Basamma and Smt. Rachamma. But the mutation is not effected in the name of the plaintiff due objection filed by the defendants before the Thasildar Devadurga. Further, the plaintiff has produced the order of Tasildar Devadurga. Wherein the name of vendors of the plaintiff has been directed to be entered in the RTC. Against the said order the defendant preferred appeal before the Learned Assistant

Commissioner Raichur. The said order also came to be dismissed. Against the said dismissal of order the defendants have preferred revision petition before the Hon'ble Deputy Commissioner Raichur, the said revision petition also came to be dismissed and abated and confirmed the order of the Tahsildar. Therefore from the orders passed by the revenue courts, it clearly goes to show that the vendors of the plaintiff are the owners and possessors of the suit property. They have executed registered sale deed in favour of plaintiff and delivered possession of suit property but, due to filing of the objection before the Tahsildar Devadurga by the defendant, the mutation is not affected in the name of plaintiff. Further, with regard to the defendants have caused interference. The plaintiff has produced the certified copy of FIR which clearly goes to show that the defendants are causing interference in the peaceful possession and enjoyment of the plaintiff. Therefore, from the above documents produced by the plaintiff in respect of the suit property, it clearly goes to show that he is the owner and possessor of the suit property and the defendants are illegally causing interference and attempting to dispossess the plaintiff from the suit property. In the above circumstances it is stated that, if injunction as prayed is not granted very purpose of the suit

would be defeated. Hence, notice to defendants on I.A.No.I is dispensed and I proceed to pass the following:

ORDER

Issue ad-interim order of temporary injunction restrain the defendants from causing interference in the peaceful possession and enjoyment of plaintiff over suit property as sought in the I.A No.I till next date of hearing.

Plaintiff shall comply order 39 Rule 3(a) of CPC. Issue T.I order, notice on I.A. No.I to defendant no.1 and suit summons to defendants.

Office is directed to issue certified copy of this order only after due compliance and payment of sufficient process fee, copy of the plaint, document and I.A.No.I for issuing process to the defendants.

Returnable by : 28-02-2026

Sd/-
Civil Judge & JMFC,
Devadurga.

