

IN THE COURT OF ADDL. SENIOR CIVIL JUDGE,
RAMANAGARA

:PRESENT:

**Smt. K.Srividya, B.A.L., LL.M.,
Addl. Senior Civil Judge,
Ramanagara.**

FDP 38/2017

DATED : THIS THE 13th DAY OF NOVEMBER 2017

Petitioner : Smt. Rangamma.

- V/s -

Respondents : Hombaiah and others.

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Heard the Petitioner counsel and perused the records. Memo with photos filed by the petitioner.

The documents produced by the Petitioner i.e., certified copy of Judgment, preliminary decree and Amended plaint in OS 54/06, certified copy of Death Certificate, RTC Extracts, Complaint copy of Panchayath and Photos and C.D., at this pre-trial stage establishes that the Petitioner has got prima facie case to go for trial.

Hence, this court views that, if notice on I.A.II is issued to the Respondents it may lead to multiplicity of suits. Hence, to prevent multiplicity of suits, notice on I.A No.II has to be dispensed with. Hence, with this observation this court proceeds to pass the following:-

ORDER

I.A. II application filed by the Petitioner U/o.39 Rule 1 and 2 of CPC is hereby allowed.

Ex-parte temporary injunction order is hereby granted temporarily restraining the respondents from not to put up further construction in 'A' & 'B' schedule properties, till next date of hearing.

Issue ex-parte temporary injunction order and Notice to the respondents No.1 to 10, if the petitioner complies with order 39 Rule 3(a) of CPC.

R/by

**Addl. Senior Civil Judge,
Ramanagara.**