

**The plaintiff counsel present and argued
on IA.No.I.**

Later the counsel files a memo that he does not pressed IA.No.I and same may be disposed as not pressed taken on record. In view of memo filed by the plaintiff counsel IA.No.I is hereby disposed as not pressed.

The plaintiff counsel files application Under Order XXXIX Rule 1 and 2 of CPC restraining the defendant No.3 from conducting or proceedings with the election Sri. Uma Maheshwari Gramanathara Vidyavardhaka Sangha Registered Mavali, Soraba Taluk, Shivamogga District which is held on 11.01.2026 numbered as IA.No.2.

The counsel during the argument files a memo along with on line digital copy order passed by Hon'ble High Court of Karnataka Writ petition No.39809/2025.

Heard the counsel on IA.No.II

Order on exparte temporary injunction,

This is a suit filed by the plaintiff for the relief of declaration and injunction against the defendants. The plaintiff seeking the declaration that the voters list for the year 2025-26 prepared by the defendant No.4 is illegal arbitrary and not binding on the plaintiff and the society. Further, the election notification dated 15.12.2025 issued by the defendant No.3 is null and void. Further, the appointment of Administrative Officer to the society. Further, the conducting election strictly based on old voters list in accordance with by laws and government order dated 08.01.2014. Further, the restraining the defendants from conducted the election based on the illegal voters list.

Further on perusal the entire materials available on record, the defendant No.4 filed the caveat petition. But the plaintiff counsel argued that IA.No.2 is filed against the defendant No.3 only to restrained the defendant No.3 from conducting or proceedings with the elections of Sri. Uma Maheshwari Gramanathara Vidyavardhaka Sangha Registered Mavali, Soraba Taluk, Shivamogga District which is held on

11.01.2026 numbered as IA.No.2 based on the voters list for the year 2025-26 and is necessary order passed by the defendant No.3. Further, perusal the plaint, the defendants No.1 and 2 are the Joint Director Cooperative Society and election commissioner of Cooperative Society. Further, prior institution of the present suit, the plaintiff has not issued any notice as required U/o 125 of the Karnataka Cooperative Society Act. Even there is no single pleadings about under which act of the plaintiff society is registered. While granting ex parte temporary injunction pleadings of the parties got importance there is no materials/pleadings under which the plaintiff society is registered. Hence, the plaintiff failed to made out prima facie case against the defendants and at this stage without hearing other side, I am not satisfied to grant ex party temporary injunction against the defendants as prays for, I proceed to pass following:

ORDER

The issue emergent notice on IA.No.2 to the defendants No.3 and suit summons to the defendants No.1 to 4 by appointing special bailiff. If PF paid and copies are furnished.

Further, issue notice to the caveator and his counsel. If PF paid and copies are furnished.

Call on 14.01.2026.

**Prl. Civil Judge and JMFC.,
Soraba.**