

**IN THE COURT OF THE ADDL. CIVIL JUDGE &
JMFC.,
KUNIGAL**

-.PRESENT:-

**Sri. Manjunath Shivapooji. B.A., LL.B.,
Addl. Civil Judge & JMFC.,**

Dated this the 24th day of November 2025

O.S. No.276/2018

PLAINTIFF : Srinivas K.K

V/s.

DEFENDANTS : Ramaiah and others

I.A.

APPLICANT : Srinivas K.K

V/s.

OPPONENTS : Ramaiah

**ORDERS ON APPLICATION FILED BY THE PLAINTIFF
UNDER SECTION 151 OF C.P.C**

The plaintiff has filed this application under Section 151 of CPC seeking for protection of police to implement the orders passed by this court on IA No.1 dated:07.03.2020.

2. In the affidavit annexed along with the application, the plaintiff has averred that he has filed IA No.1 U/o 39 rule 1 and 2 of CPC seeking for temporary injunction against the defendants, restraining them from interfering with the peaceful possession and enjoyment of the suit schedule property. The said application was came to be allowed. Against the said order, the defendants have preferred MA No.12/2022, the said MA was dismissed for non-prosecution. When the situation thus being so, the defendants inspite of the said order, are causing obstruction for the peaceful possession over the suit schedule property by the plaintiff and they disobey the court order and breach the terms of court order. Hence, the plaintiff has approached the jurisdictional police, but went in vain. But, the police had issued NCR and orally advise the plaintiff for bring the order from the court for give police protection. Hence, he has filed the present application seeking for protection of the police.

3. On the other hand, the defendants have not filed their written statement.

4. On basis of the application, objections and documents on record, the following points that arise for the determination of this court.

1. Whether the plaintiff is entitled to the police protection as prayed in the application?

2. What order?

5. Heard arguments. Perused the application, affidavit, objections and records placed before this court.

6. My finding on above points are as follows:-

Point No.1 : In the *Affirmative*,

Point No.2 : As per the final
order for the following;

::REASONS::

7. **Point No.1:** The plaintiff has filed the present suit for the relief of permanent injunction against the defendants in respect of the suit schedule property. In this case, this court allowed the IA No.1. Further, this court has passed an order by restraining the defendants, their agents, servants, attorneys or anybody acting on their behalf from interfering with the peaceful possession and enjoyment of the suit schedule property by plaintiff. Against the said order, the defendants have preferred MA No.12/2022 the MA also came to be dismissed for non-prosecution on 28.03.2024.

8. Further, it can be also seen that the plaintiff has approached the jurisdictional police station and they have also registered the complaint as NCR.

9. Further, if the proper protection is not provided, he will be put to irreparable loss and injury and the orders of Appellate court would be become fruitless. Hence, this court is of the opinion that it is just and necessary to give protection of police in order to proper implementation of orders of this court, dated: 07.03.2020. Accordingly, ***point No.1*** is answered in the ***Affirmative.***

10. **Point No.2:-** For the above discussed reasons, this court proceeds to pass the following:

::ORDER::

IA filed by the plaintiff under Section 151 of C.P.C. is hereby allowed.

The jurisdictional police shall give proper protection if the defendants or their men fails to obey the court order and cause obstructions for implementation of the orders of

this court on IA No.1 dated:
07.03.2020.

For cross of PW.1 by 07.01.2026.

[Dictated to the stenographer directly on computer and then corrected by me and thereafter pronounced in the open court on this the *24th day of November, 2025*]

Sd/-

[Manjunath Shivapooji]
Addl Civil Judge and JMFC,
Kunigal.