

ORDER

The plaintiff has filed the suit for Declaration and permanent injunction and also filed I.A. No.1 U/O 39 Rule 1 and 2 r/w Sec.151 of CPC., with a prayer to restrain defendants or their agents, servants or anybody acting on behalf of them from constructing residential house in the suit schedule property in any manner till disposal of the suit.

It is the case of plaintiff that the mother of plaintiff has purchased the suit schedule property from one Jampaiah and later family partition took place among plaintiff and his brothers. Based on the registered partition deed revenue documents stands in the name of plaintiff and he is in physical possession and enjoyment of the same. Further defendants are strangers to the plaintiff's family without having any manner of right, title, interest and much less possession are trying to construct the building in the suit schedule property by denying the title of the plaintiff.

The plaintiff prays that at this stage ad-interim order of temporary injunction is not granted in favour of plaintiff against defendants, then he will be put great loss, damage, injury, hardship. Heard plaintiff's side, satisfied with available materials on the record. At this stage the plaintiff has shown prima-facie. Hence, I proceed to pass following:

ORDER

The defendants or their agents, servants or anybody acting on behalf of them are hereby restrained by way of an order of temporary injunction from constructing residential house in the suit schedule property till the next date of hearing.

Issue Emergent Notice on I.A. No.1 and suit summons to the defendants and also order of this court, if the plaintiff has complied the provision of Order XXXIX Rule 3 of CPC.

Call on:

Sd/-
Prl. Civil Judge & JMFC.,
Sira.