

ORDER ON IA No.II

The plaintiff has filed this suit against the defendant for the relief of permanent injunction.

The plaintiff has filed IA No.II U/o 39 Rule1 and 2 R/w 151 of CPC for grant of ad-interim temporary injunction.

Heard plaintiff counsel on IA No.II and perused the plaint averments and affidavit filed in support of IA No.II along with documents produced by the plaintiff. This court has gone through the RTC of suit schedule property produced by the plaintiff. On going through the RTC of Survey No.214. Whereas in Column No.9, Timmanna Shambu Hegde, name is entered. This court has gone through the survey map produced by the plaintiff and the other documents on the board.

Considering the nature of the suit and the documents filed along with the plaint, this court is of the opinion that ordering notice to the opponent would delay the proceedings and result in multiplicity of proceedings. Hence, preserving the said property in the same status is necessary, otherwise, the case of the plaintiff would be frustrated, and if notice is ordered, the very purpose of the I.A. will be defeated, and the plaintiff will be put to great hardship. Hence, this court allows I.A No.II and proceeds to pass the following:-

ORDER

Issue order of ex-parte temporary injunction, The defendant or his men are hereby restrained from forcibly encroaching upon the suit road, from putting up any new construction so as to narrow the road, and from digging pits on the road or in any manner causing obstruction to free and smooth movement, till next date of hearing.

The plaintiff to comply with Order 39 Rule 3(a) of C.P.C. If compliance is reported, issue emergent notice on I.A. No.II and suit summons to the defendant.

Call on 11-03-2026.

Sd/-

**C/c Prl. Civil Judge and JMFC.,
Honnavar.**