

ORDER

The plaintiffs have filed the suit for the relief of permanent and mandatory injunction and for the possession of the suit schedule 'A' property in favour of plaintiff Nos.1,2 and 3 and to direct the defendant No.13-BBMP to cancel the illegal khatha standing in the name of defendant Nos.1 to 3 and also for damages of Rs.2.00 Crores against defendant No.13 for effecting illegal khatha in respect of various portions of the suit schedule property to defendants and such other reliefs.

2. The plaintiff has filed an I.A. No.1 under Order XXXIX Rules 1 and 2 R/w Section 151 of the Code of Civil Procedure to pass an ad-interim of injunction restraining the defendant Nos.1 to 10, their henchmen, their legal representative or any persons acting under the authority and trust of defendants from alienating or encumbering or creating any charge over the suit schedule properties pending disposal of the suit.

3. Heard the learned Counsel for the plaintiff and perused the plaint, averments and I.A. affidavit and supporting documents.

4. On perusal of plaint, the schedule property was originally purchased by Late Papaiah, the father-in-law of 1st plaintiff and grandfather of 2nd and 3rd plaintiffs vide registered sale deed dated 15.10.1971. After the demise of Late papaiah, his wife M.Jayalakshamma executed registered Will dated 25.10.1989 bequeathing schedule 'A' property in favour of Late Jayaramu, the husband of plaintiff No.1 and father of plaintiff Nos.2 and 3 and after the death of Jayaramu, the plaintiffs have inherited the property. The plaintiffs have produced copies of sale deeds, encumbrance certificates, Will, mortgage deeds, E-khatha and photographs. The plaintiffs have submitted that defendants have made unauthorized constructions and threatening to alienate the schedule property.

5. At this stage, the plaintiff has made out the prima facie case for grant of Ad-Interim Ex-parte order of temporary injunction. If the notice is issued, it will cause delay and purpose of filing the application will be frustrated. Hence, it is just and proper to grant the ad-interim injunction in favour of the plaintiff as prayed in IA No.I till next date of hearing. Therefore, I pass the following:

ORDER

The defendant Nos.1 to 10, their henchmen, their legal representatives and

any person acting under the authority and trust of defendants are hereby restrained, by way of temporary injunction, from alienating or encumbering or creating any charge over the suit schedule properties till next date of hearing.

Plaintiff shall comply the provision under Order XXXIX Rule 3(a) of CPC.

Further, the plaintiff shall furnish copies of plaint, I.A., documents and required PF which shall not fall deficit for issuance of summons within seven days from this date, failing which, the above order of granting of temporary injunction will automatically stands vacated.

Issue suit summons, I.A.No.1 notice, temporary injunction order to the defendant subject to compliance.

Call on

(Dictated to the Judgment Writer directly on Computer, computerized by her, corrected and then pronounced by me in open court this the 29th day of June, 2026.).

(LOKAPPA N.R.)

XXX Addl. City Civil & Sessions Judge,
Bengaluru.

O.S.No.