



Heard Sri. S.S.W Advocate on IA I U/o 39 rule 1 and 2 CPC.

The Plaintiff has filed the suit seeking the relief of declaration and permanent injunction against the defendants in respect of the suit properties.

The plaintiff and the defendant No.1 and 2 are real brothers. The defendant No.3 to 6 are the wife and children of another brother of the plaintiff. In the partition between the plaintiff and defendants, the defendants have fraudulently allotted lesser portion of land to the plaintiff. The plaintiff is an uneducated innocent person. When the plaintiff demanded the defendants to give his proper share in the suit properties, the defendants have refused to give his share. The defendants are trying to alienate the suit properties in order to deprive the plaintiff of his share in the suit properties. Therefore, the plaintiff has sought an order to restrain the defendants from alienating the suit properties.

Perused the documents available on record and the pleadings. The property extract discloses that the properties are standing in the names of the defendants. The plaintiff contends that the defendants may alienate the suit

properties. In the facts and circumstances, the defendants shall be restrained from alienating the properties. Therefore, I pass the following;

ORDER

The defendants are hereby temporarily restrained from alienating the suit properties to any person in any manner, till next date of hearing.

The plaintiff shall comply with the provision U/O.39 rule 3 of CPC.

Issue Notice on IA.I and suit summons to defendants.

R/by 28.08.2023.

I Addl. Civil Judge & JMFC., Athani.