

Case called out.

Plaintiff is absent.

Heard the arguments advanced by the counsel appeared for plaintiff on IA No.I.

ORDER

The plaintiff has filed the IA No.I under Order XXXIX, Rule 1 and 2 of Civil Procedure Code, 1908 praying for grant of ad-interim temporary injunction for restraining the defendants from alienating suit property during pendency of the suit.

Perused the application, affidavit filed in support of application, plaint averments and documents placed on record.

On combined reading of the application, affidavit filed in support of application, plaint averments and documents placed on record, it appears to me that plaintiff and defendants are related to each other and LRs of late Narayanappa. It also appears that suit properties were owned and possessed by Late Narayanappa and after his death, katha of suit item No.1 to 4 has been mutated in the name of defendant No.1 and katha of suit item No.5 is standing in his name. It also appears that plaintiff and defendants have right over the suit properties. By looking to the fact and circumstances of the case, it appears to me that defendants may alienate the suit properties by taking undue advantage of name of defendant No.1 in the revenue records and in that event it changes the nature of the suit properties and it will cause hardship and inconvenience to the plaintiff. Hence at this state I am of the opinion that the apprehension of the plaintiff is well founded and in order to avoid the multiplicity of the litigation, passing of ex-parte temporary injunction is the need of the situation. Hence I proceed to pass the following:

ORDER

The defendants are hereby restrained from alienating the suit properties or creating third party rights over the same by way of ad-interim temporary injunction.

OS No.583/2025

This order will be in force till filing of objection to IA No.I by the defendants.

The plaintiff is directed to comply mandatory provision of Order XXXIX, Rule 3 (a) and (b) of Civil Procedure Code, 1908.

Issue this ex-parte order of temporary injunction if mandatory provision is complied.

Issue suit summons and notice on IA No.I to defendants.

Returnable by: 18-08-2025

**Prl. Senior Civil Judge & J.M.F.C.
Devanahalli.**