

ORDERS ON AD-INTERIM PRAYER

In the above suit which is filed for partition, separate possession and consequential injunction of the suit schedule property. The plaintiffs by asserting that in spite of they having got legitimate share over the suit property, the defendants refusing to the same, are trying to get the khatha of suit property to their name and that they are laying foundation to put up construction, to see that the plaintiffs be deprived with their share over the suit property. The plaintiffs have also sought for ex-parte temporary injunction against the defendants not to put-up construction of building over the suit property.

2. Having heard the learned counsel for plaintiffs on ad-interim prayer, this Court has gone through and carefully perused the materials supplied by the plaintiffs.

3. The documents produced by the plaintiffs would disclose that the suit property is in the name of one Gullemma W/o Konthayappa who as the plaintiffs, is the mother-in-law of plaintiff No.1, defendant No.1 and 5, and grand mother of plaintiff No.2, defendant No.2 to 4 and 6 to 9. It is stated that the said Gullemma and her second son i.e., the husband of plaintiff No.1 and father of plaintiff No.2, are dead and thus the plaintiffs have also got share over the suit property but the

defendants having refused the share, are putting up construction over the suit property to defeat the plaintiffs share over the same. Since the plaintiffs have asserted their share over the property which is the name of mother-in-law of plaintiff No.1 and grand mother of plaintiff No.2, any construction put by the defendants over the same may come in the way of plaintiffs claiming their share over the suit property as the defendants may seek for equity. Hence, the following:

ORDER

Issue ad-interim order of temporary injunction as sought for in IA. No.I, till next date of hearing.

Plaintiffs shall comply the mandates of order 39 Rule 3 of CPC.

Issue suit summons and emergent notice on I.A. No.I to the defendants. R/by:18.03.2025.

Sd/-

(Vishwanath.A)
Prl. Civil Judge & JMFC
Mudigere.