

The present suit has been filed by plaintiff for the relief of partition and Separate Possession and other reliefs as mention of in the plaint.

In aid of the main relief the plaintiff is also maintained one application, is under order 39 Rule 1 and 2 of CPC. Wherein the plaintiff has sought for the defendants shall not alienate the suit schedule properties.

No caveat is pending.

Heard the plaintiff counsel's Arguments on IA No.1.

Perused the plaint averments, IA No.1 filed under order 39 Rule 1 and 2 of CPC and the connected affidavit sworn by the plaintiff.

After perusal all the materials placed before the Hon'ble court, at this stage this court is satisfied that the plaintiff has made out a prima-facie case and balance of convenience is in favour of plaintiff. If an exparte order of T.I is not granted by dispensing the issuance of notice, the purpose of filing I.A No.1 may be defeated.

Hence the following

O R D E R

Defendant,, their agents, person or persons claiming through them are hereby restrained from alienating the suit schedule properties in any manner till filing objection.

Accordingly, the plaintiff is hereby directed to comply the order 39 Rule 3(a). Issue exparte T.I order if provisions of Order 39 Rule 3(a) of CPC are complied with.

Issue emergent notice on IA No.1 to defendants and suit summons to defendants if sufficient copies are furnished and PF paid returnable by 17.01.2023.

(A.N. Kanthamma)
Addl.Civil Judge & J.M.F.C.,
Gundlupet