

OS 215/15

I have heard and perused the plaint averments, IA No. 2 & 3 annexed affidavit and other materials available on record.

On perusal of the materials on record it prima-facie appears that the plaintiffs have got a case to go for trial. This is a suit filed by the plaintiffs against the defendants for declaration and for cancellation of the Sale deed. It is

the allegation of the plaintiffs that the defendants No. 2 to 4 trying to alienate the suit schedule B-property and trying to alter the B schedule property which belongs to the plaintiffs. If the defendants are succeeded in alienating the property and alter the same then the plaintiffs may suffered a lot. So, in the circumstances it is just that the notice on IA No. 2 & 3 has to be dispensed with. Otherwise, the purpose of filing suit may not serve for the plaintiffs. As such the plaintiffs are entitle for exparte temporary injunction order. Hence, I proceed to pass the following –

ORDER

Issue exparte temporary injunction order against the defendants No. 2 to 4 and their agents. They are hereby restrained from alienating the suit schedule B property and also restrained from altering the schedule B property till filing of written statement.

The plaintiffs to comply Order 39 R.3(a) of CPC with compliance.

Issue TI and notice on IA No. 2 & 3 to defendants No. 2 to 4 and suit summons to all the defendants by 17.10.2015.

Addl. CJ. & JMFC, Kollegal.