

Order on I.A. No. I

1. Perused IA.No.I, affidavit of the plaintiff and documents produced by her.

2. It is the case of the plaintiff that, she has filed the suit for the relief of partition and separate possession against the defendants. It is stated that Late Mudalgirigowda and Smt.Huchhamma are the father and mother of the plaintiff and defendants and suit schedule properties are the ancestral and joint family properties of the plaintiff and defendants and they are in joint possession and enjoyment the same and till today there is no partition in the suit properties in which she is having legitimate shares.

Further it is stated that, after the demise of the Sri.Mudalgirigowda and Smt.Huchhamma the defendant Nos.1, 3, 4 and 6, made a registered partition deed on 07.01.2019 without the knowledge and consent of the plaintiff and legal heirs of the 2nd and 5th defendant, which is not binding upon her and plaintiff seeking her 1/7th equal share in the suit schedule properties. Now, the defendants with an intention to defeat her legitimate rights of share are trying to alienate the suit properties to third persons. Hence, she prays to allow IA.No.I.

3. On perusal of the plaint averments and documents produced by the plaintiff, prima-facie it appears that the plaintiff has made out sufficient grounds to grant interim ex-parte temporary injunction order. If the defendants are not restrained from alienating or transferring the suit schedule properties, the very purpose of filing of the suit will be defeated and it will lead to multiplicity of the proceedings. Hence, I proceed to the pass the following :

ORDER

IA.No.I filed U/O-39, Rule-1 & 2 R/w 151 of CPC is hereby allowed and the defendants, their agents, servants or anybody claiming under them, from making alienating the suit schedule property, by any mode or manner till next date.

The plaintiff shall comply order XXXIX Rule III(A) of CPC.

Issue notice on order passed on IA.No.I and mediation notice to defendant and both parties are directed to appear before the mediation on 12.03.2026.

Await mediation report 18.03.2026.

**Senior Civil Judge & JMFC,
Arsikere.**