

**Order on I.A. No. II**

1. Perused IA.No.II, affidavit of the plaintiff No.6 and documents produced by her.

2. It is the case of the plaintiffs that, they have filed the suit for the relief of partition and separate possession against the defendants. It is stated that suit schedule properties are the ancestral and joint family properties of the plaintiffs and defendants. Originally the suit schedules properties were belongs to one Late Puttarudrayya who is the propositus of the family of plaintiffs and defendants and there is no dispute in between the sons of Late Puttarudrayya and they are in joint possession and enjoyment of the same and till today there is no partition in the suit schedule properties in which

they are having legitimate shares. Further it is stated that, upto 2018-19 there is no partition, after the demise of Rudrayya S/o Puttarudrayya, who is the father of the defendant Nos.1 and 2, all other defendants made a registered partition deed on 08.02.2024 without the knowledge and consent of the plaintiffs, which is not binding upon plaintiffs, who are also seeking their 1/3<sup>rd</sup> equal share in the suit schedule properties. Now, the defendants with an intention to defeat their legitimate rights of share are trying to alienate the suit properties to third persons. Hence, she prays to allow IA.No.II.

3. On perusal of the plaint averments and documents produced by the plaintiffs, prima-facie it appears that the plaintiffs have 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 pass the following :

**ORDER**

IA.No.II 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.II 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.**