

Order on I.A. No. I

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

2. It is the case of the plaintiff that, they have filed the suit for the relief of partition and separate possession against the defendants. It is stated that suit schedule properties originally belongs to one

Late Thimmappa @ Thimmegowda who is the propositus of the family of plaintiffs and defendants and the suit schedule properties are the Hindu Undivided joint family and ancestral properties of the plaintiffs 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 they are having legitimate shares. Further it is stated that, now 15 days ago when plaintiff went near the suit schedule properties the defendants obstructed them by saying that the suit schedule properties were belongs to them jointly after verifying the revenue records. That the suit schedule properties Khatas are standing in the name of the defendant No.13 and taking advantage of the same 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.I.

3. On perusal of the plaint averments and documents produced by the plaintiffs, 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 13.03.2026.

Await mediation report 18.03.2026.

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