

Order on I.A. No. II

1. Perused IA.No.II, affidavit of the plaintiff No.2 and documents produced by him.

2. It is the case of the plaintiffs that, they have filed the suit for the relief of declaration and Permanent Injunction against the defendants. It is stated that the suit property was purchased by Rangappa who is the father of 1st plaintiff's husband Late Sri.Rangaswamy from its previous owner Sri.S.Karirangappa S/o Rangappa @ Keresannappa under the sale deed dated:28.12.1965. Since then the said Rangappa is in possession and enjoyment of the suit schedule property. After the death of Rangappa, the plaintiffs are in possession and enjoyment of the said property without changing the katha into their names. Such being the case, the previous owner Sri.Karirangappa was transferred the katha of the suit property in the name of his son Sri.C.K.Nagaraju vide MR No.20/1995-96. Thereafter, the said Sri.C.K.Nagaraju transferred the katha in the name of his wife by name Smt.Parvathamma vide MRH26/2011-212. Thereafter the said Parvathamma sold the suit property to the 1st defendant and katha of the said property was transferred in the name of 1st defendant vide MR No.1/2020-21. Though the defendants are not having any manner of

right, title and interest over the suit schedule property are trying to interfere with the peaceful possession and enjoyment of the plaintiffs over the suit schedule property and the defendant No.1 is trying to alienate the suit schedule property. Hence, he 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 interfering with the suit schedule property, 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

I.A.No.II filed U/O-39, Rule-1 & 2 of CPC is hereby allowed and the defendants, their men or anybody claiming under them are hereby restrained from alienating, mortgaging, encumbering the suit schedule property to anybody, by any mode or manner till next date.

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

Issue notice on order passed on I.A.No.II and mediation notice to defendants and both parties are directed to appear before the mediation on 18.04.2026.

Await mediation report 24.04.2026.

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