

Order on I.A. No. I

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

2. It is the case of the plaintiff that, he has filed the suit for the relief of partition and separate possession against the defendants. It is stated that all the suit schedule properties are properties of Hindu joint family and originally all the suit schedule properties are standing in the name of his grandfather Sannegowda. The defendant Nos.1 to 4 by colluding with each other have sold some of the suit properties to the defendant Nos.5 to 9. Now, the defendants with an intention to defeat the legitimate rights of share of the plaintiff are trying to alienate other properties to third persons. Hence, he 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 of CPC is hereby allowed and the defendants are hereby restrained from alienating or transferring or creating

charges over the suit schedule properties, 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 SS to defendants.

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