

O.S. NO. 52 of 20

EXPARTE ORDER ON I.A.No.1

Plaintiff has filed I.A.No.2 under Order 39 Rule 1 & 2 R/w section 151 of CPC., seeking exparte injunction order restraining the defendants from disposing the plaintiffs over the suit schedule properties till disposal of the suit.

2. Heard, perused the records. The plaintiffs have relied upon a citation reported in *2020(2) KCCR 1000 between Smt. Gangubai and others V/s Shri Rama Sateri Ghadi and others.*

3. The plaintiffs have filed this suit seeking declaration of ownership joint ownership with respect to suit schedule properties and consequential relief of partition and separate possession of their half share over the schedule properties. Now the plaintiff seeking temporary injunction against the defendant restraining the defendants from dispossession of the plaintiffs over the suit schedule properties. The learned counsel for the plaintiff has

submitted that, the plaintiffs are in joint possession and enjoyment of the suit schedule properties and they are having half share in the suit schedule properties, but now the defendants are trying to interfere over the said properties and accordingly they are trying to dispossess the plaintiffs from the schedule properties and accordingly prays to grant temporary injunction and the plaintiffs in support of their claim have relied upon the above said citation.

4. On perusal of the revenue records produced by the plaintiffs it is noticed that, the RTC for the current year stands in the names of defendant No.1,2 and 6 and the plaintiffs have not produced single piece of documents to show that they are also in joint possession of the suit schedule properties. As such, at this juncture there are no sufficient grounds to grant T.I, as such, the plaintiffs have not made out grounds to grant T.I in their favor, the documents produced by the plaintiffs also not support at this stage to grant T.I and hence, I proceed to pass the following. ___

ORDER

Issue suit summons to the defendants
if PF paid and emergent notice on I.A.No.2.

Call on : 04-01-2021.

(got typed by myself)

(PUTTASWAMY. K.M.)
Sr. Civil Judge and JMFC,
Hirekerur.

