

ORDERS ON I.A.I

Heard the counsel appearing for the plaintiff on I.A.No.I U/Order XXXIX rule 1 & 2 R/w Sec.151 of CPC, against defendants.

2. Perused the plaint, I.A.No.I, affidavit and also documents.

3. The plaintiff contended that suit schedule properties are ancestral properties of herself and defendant No.1 and 2 and defendant No.3 to 5 are the bonafied purchaser of suit schedule properties. After the death of main propositus by name Durugappa defendant No.1 and 2 created false document entered their names in panchayath documents. Now the defendants denying the plaintiffs right and trying to alienate the suit schedule properties. Hence, she filed this suit for the relief of partition and separate possession of suit schedule properties.

4. In support of her case, the plaintiffs have produced Mutation register, RTC and other documents.

5. I have perused the documents produced by the Plaintiffs. After going through the facts of the case, on the basis of the materials produced by the plaintiffs, I am of the opinion that, the Plaintiffs at this stage has made out a prima-facie case balance of convenience lies in favour of plaintiffs and the Plaintiffs have made out sufficient grounds for grant of ad-interim exparte temporary injunction. At this stage, if the prior notice of I.A.No.I to the Defendant No.1 and 2 is not dispensed with, the very purpose of the suit will be defeated by delay. If defendants succeeded in alienating the schedule property that will lead to multiplicity of the proceedings. Hence, prior notice on IA No.I, is hereby dispensed and I proceed to pass the following:

ORDER

Issue Ad-interim Exparte Temporary Injunction against defendants or anybody on behalf of them, restraining defendants from alienating, mortgaging, gift or any kind of transferring the suit schedule properties to any other person till next date of hearing.

Plaintiffs to comply the provisions of Order XXXIX Rule 3(a) of C.P.C.

Office is hereby directed to issue suit summons to defendants, notice on I.A. No.I to defendants and order of exparte injunction after compliance.

R/ by 30/06/2026

Itinerary Civil Judge & JMFC.,
Rattihalli.