

ORDER

Heard Sri.P.S.Antakkanavar, advocate for plaintiff on IA No.I.

This is a suit filed by the plaintiff against defendants for partition and separate possession claiming her $\frac{1}{2}$ share in the suit properties agriculture land bearing Sy.No.86/5 measuring 01 acre, 20 guntas and Sy.No.86/7 measuring 02 acres 00 guntas situated at Hoovinsingli village, Savanur taluka. The plaintiff has filed I.A. No.I U/O XXXIX Rule 1 and 2 of CPC seeking ad-interim injunction order restraining the defendants from alienating the suit properties to third parties in any manner till disposal of this suit.

Perused the IA, affidavit annexed to the IA, plaint, documents annexed to the plaint. It appears on perusal of the plaint statement of fact the plaintiff is claiming share in the suit properties as against the defendants. The plaintiff claims that she is closely related to suit properties as the suit schedule properties is ancestral, joint family properties as of now available for partition. Hence, this being suit for partition and separate possession wherein plaintiff claiming right over the suit properties therefore at this initial stage of proceedings the plaintiff has got prima-facie case to grant temporary injunction against defendants. Moreover, the purpose of initiating suit will be served in order to decide rights of the plaintiff over suit property if suit property kept intact at

least till appearance of the defendants.
Therefore, the following;

ORDER

Ex-parte temporary injunction is granted in favour of plaintiff/applicant.

The defendants are hereby restrained by way of Ex-parte temporary injunction from alienating, the suit properties in any manner till next date of hearing.

Plaintiff/applicant shall comply the provision of order 39 Rule 3 of CPC.

Office to issue certified copies only after due compliance of above said provision of law.

Issue temporary injunction order, suit summons to the defendants by way of urgent process.

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