

OS No.23/2025

**ORDER ON I.A. No.I FILED BY THE PLAINTIFF
UNDER ORDER XXXIX RULE 1 AND 2 OF CPC.**

The plaintiffs have filed the I.A.No.I U/Order XXXIX Rules 1 & 2 of CPC with a prayer, ex-parte Temporary Injunction (TI) order, be granted against the defendant No. 5 to 7, restraining them or their men or agent from alienating the suit properties in any manner, till disposal of the suit.

2. In support of the above said I.A., the plaintiff No.1 has sworn an affidavit. The plaintiffs have filed this suit for the reliefs of partition and injunction against defendants.
3. The plaintiffs have produced three sale deed copy of land dated 22.01.2025, certified copy of ROR of Sy.No. 216/☺ for the year 1963-64 to 1967-68, certified copy of ROR of Sy.No. 216/☺ for the year

1973-74 to 2001-02, certified copy of ROR of Sy.No. 216/1 for the year 2002 to 2005, 2004-05 to 2021-22, ROR of Sy.No. 216/4 for the year 2024-25. This court perused the documents i.e., RORs produced by the plaintiffs and also perused the IA No.I and plaint. In the RORs of the 1963-64 to 2001-02 and also in the ROR of the 2004-05 the name of the Tolya S/o Jayaram appears as per the pleading the said Tolya S/o Jayaram is the common ancestor of the plaintiffs and defendants. These above said documents prima-facie shows that, the suit property is joint family/Hindu undivided family property of the plaintiffs and defendants. After perusal of the contents of I.A.No.I, affidavit and documents produced by the plaintiffs, at this juncture, the plaintiffs have made out the prima-facie grounds to grant Ex-parte temporary injunction as prayed, but till next date of hearing. If temporary injunction is not granted, plaintiffs will suffer inconvenience &

hardship. Hence, this court inclined to pass the following order:

ORDER

Issue ex-parte temporary injunction order against the defendant No. 5 to 7, restraining them from alienating the suit schedule property in any manner, till next date of hearing.

Issue notice of Ex-parte Temporary Injunction order along with suit summons and emergent notice of I.A. to the defendant No.5 to 7, if plaintiffs complies the provisions of Order XXXIX Rule 3(a) and (b) of CPC. Further issue suit summons to the defendant No.1 to 4, if P.F. paid.

Call on: 24-04-2025.

**Civil Judge & JMFC,
Chittapur.**

