

OS-02/2026

ORDERS ON IA-I

Guardian of the minor plaintiff namely Smt. Sahana.K W/o Sudarshan S.N, has filed IA-I U/o 32 R.1 and 2 of CPC and prays for appoint her as minor guardian of minor plaintiff.

2. Applicant is the mother of the minor Plaintiff. She is sound mind and has attained majority to act as guardian to the minor Plaintiff. The applicant being mother of minor Plaintiff, she has no adverse interest against the minor Plaintiff. Hence, it is proper to appoint applicant as guardian of minor Plaintiff for his welfare. Hence, Court proceeds to pass the following:

ORDER

IA-I filed by the applicant U/o 32 R.1 of CPC is hereby allowed.

Consequently, applicant/mother of the minor plaintiff is hereby appointed to act as guardian to the minor Plaintiff for this suit.

For orders on IA-II.

Kept by....

(DEVARAJU H.R.)

I Addl. Senior C.J. and JMFC, K R Pete.

EXPARTE ORDERS ON I.A.NO.II

The plaintiff has filed this suit for Partition and Separate Possession along with I.A No.II U/o. 39 Rule 1 and 2 of C.P.C for seeking an order of *ex-parte* ad-interim Temporary Injunction against the defendant No.2.

2. Perused the plaint, I.A. filed U/o. 39 Rule 1 and 2 of C.P.C the connected affidavit sworn by the minor guardian of plaintiff and documents placed on record.

3. Heard counsel for the plaintiff on I.A No.II and perused the available materials on record.

4. The minor guardian of the plaintiff in her affidavit has stated that plaintiff is the S/o defendant No.1. Plaintiff and defendants are the members of Hindu undivided joint family. Now, defendant No.2 has got the khata of the suit schedule properties into his name without allotting the share of the plaintiff over the suit schedule properties. Now, defendant No.2 is trying to alienate the suit schedule properties on the basis of khata stands in his name to the 3rd person to defeat the right of the plaintiff over the suit schedule properties. Therefore, prays for allow the application as prayed.

5. On perusal of the documents furnished by the plaintiff they prima facie reveal that if ad-interim temporary injunction is not granted it will cause hardship to the plaintiff and it creates multiplicity of proceedings. Therefore, I am of the opinion that the plaintiff has made out grounds for issuance of *ex-parte* ad-interim Temporary Injunction Order. Considering the urgency involved in the matter, notice to the defendant No.2 requires to be dispensed with to meet ends of justice. Therefore, I proceed to pass the following;

ORDER

By this Order of *Ex-parte* ad-interim Temporary Injunction the defendant No.2 is hereby restrain from alienate the suit schedule properties by way of gift, sale, mortgage or in any other mode to anybody till the next date of hearing.

This Order shall coming to effect only upon compliance of Order 39 Rule 3(a) of C.P.C.

Issue ad-interim *ex-parte* T.I order, after compliance, Emergent Notice on I.A.No.II to the defendant No.2 and suit summons to the defendants.

Returnable by 24.01.2026.

(DEVARAJU H.R.)
I Addl. Senior Civil Judge & JMFC,
K.R Pete.

