

Orders on I.A.No.I

Sri.BMR, counsel for Plaintiffs has filed this suit against the defendants for the relief of partition and separate possession in respect of suit schedule property along with I.A.No.I seeking for ex-parte ad-interim order of temporary injunction against the defendants to restrain them, their agents or anybody acting on their behalf not to alienate the suit schedule property in any manner till disposal of the suit.

It is stated in the accompanying affidavit of IA that, plaintiffs, late Mahadevarao, late Basavaraju and late Manju are the children of late Kamalabai and late Puttaswamaiah. The defendant No.1 to 3 are the wives of deceased brothers of plaintiffs i.e., Mahadevarao, Basavaraju and Manju. The suit schedule property is the ancestral property of plaintiffs and defendants, and there is no partition took place between the family members. The defendants have not given plaintiffs' share in the suit property. They have changed the khatha in their names without the knowledge of these plaintiffs and they are trying to alienate the suit property. They have right and equal share over the suit property. Hence they have filed the present suit along with this application.

Heard, learned counsel for the plaintiffs. Perused the plaint averments, I.A.I & Affidavit and supported documents.

On perusal of the records, it is relevant that, at this stage the defendants' presence is necessary before granting the ex-parte temporary injunction.

Hence issue emergent notice on IA.No.I and suit summons to the defendants, if PF paid.

R/by 04.12.2023

Addl.C. J & JMFC.,
H.D.Kote.