

ORDER

Heard the learned counsel for the plaintiff and perused the records. The plaintiff has filed this suit declaration that he is the absolute owner of plaint schedule property and further relief of permanent injunction.

Along with the suit, plaintiff has filed I.A.No.2 under order 39 rule 1 and 2 of CPC seeking temporary injunction restraining the defendant from alienating the suit schedule property in any manner till pending disposal of this suit.

The plaintiff has produced the pedigree, RTCs, Index of lands, MR extracts, boundaries certificate, Tahsildar notice and land tribunal order pertaining to the suit schedule property. These documents *prima-facie* appears to be standing in the name of ancestors of plaintiff by name Kalachari, Puttaswamachari and Putta Lakshmmamma through whom plaintiffs are claiming title to the suit schedule property.

Now it is the apprehension of the plaintiffs that, defendants may alienate the suit schedule property in order to harass the plaintiffs to deprive their rights. If the defendants alienate or dispose off the suit schedule property in favour of strangers it will lead to multiplicity of proceedings and plaintiffs will be put to hardship. If an order of injunction granted in favour of plaintiffs, defendants will not put to any hardship. Hence, the plaintiffs have made out *prima facie* case in their favour and balance of

convenience and relative hardship also leans in favour of the plaintiffs. Under the circumstances, issuance of notice may defeat the purpose of filing the suit. Hence, I pass the following :-

ORDER

Issue ad-interim exparte temporary injunction against the defendants restraining them from alienating the suit schedule property in any manner or creating any kind of charge whatsoever, over it till filing of written statement.

The plaintiff shall comply order 39 rule 3 of CPC.

Issue suit summons and notice on IA No.2 to defendant NO.1 to 7.

Returnable by 30/11/2021.

Sr CJ & JMFC., K.R.Nagar.