

Perused the pleadings and documents produced. The plaintiffs have filed this suit seeking for the relief of partition and separate possession of their 1/4th share each in the suit schedule properties. The temporary injunction claimed is to restrain the defendant from alienating the application schedule properties pending disposal of the suit. Considering the materials placed on record, the prima facie case is made out at this stage. If the exparte order of temporary injunction is not granted the very purpose of the suit getting defeated by reason of delay and the rights claimed by the plaintiffs getting jeopardized cannot be ruled out. Hence, it is necessary to dispense with the mandatory prior notice contemplated by law. Hence I proceed to pass the following :

ORDER

The defendant is restrained from alienating the application schedule properties in any manner until the next date of hearing, by way of exparte ad-interim order of temporary injunction.

The Plaintiffs are directed to comply with the Order 39 Rule 3 of C.P.C.

Issue exparte temporary injunction order in respect of application schedule properties against the defendant with notice on I.A. No.1 and Suit Summons to the defendant if proper PF paid and sufficient copies furnished and if the above order is complied with returnable by

Senior C.J. & JMFC.,
Nanjangud.

08.11.2023