

Perused the pleadings and documents produced. The plaintiff has filed this suit seeking for the relief of partition and separate possession of her 1/4th share in the suit schedule properties. The temporary injunction claimed is to restrain the defendants No.2 to 6 from alienating the item No.1 schedule property 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 plaintiff 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 defendants No.2 to 6 are restrained from alienating the item No.1 schedule property in any manner until the next date of hearing, by way of exparte ad-interim order of temporary injunction.

The Plaintiff is directed to comply with the Order 39 Rule 3 of C.P.C.

Issue exparte temporary
injunction order in respect of item No.1
schedule property against defendants
No.2 to 6 with notice on I.A. No.1 and
Suit Summons to all the defendants if
proper PF paid and sufficient copies
furnished and if the above order is
complied with returnable by
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Senior C.J. & JMFC.,
Nanjangud.

09.11.2023