

O.S.268/2022

Perused the pleadings and documents produced. The plaintiff has filed this suit seeking for the relief of partition and separate possession of her 1/2 share in the schedule property. The temporary injunction claimed is to restrain the defendant No.6 from alienating the application schedule property pending disposal of the suit. Considering the materials placed on record, the prima facie case is made out at this stage in respect of application schedule property. 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 defendant No.6 is restrained from alienating the application 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 application schedule property against defendant No.6 with notice on I.A. No.I and Suit Summons all the Defendants if proper PF paid and sufficient copies furnished and if the above order is complied with returnable by .....

Senior C.J. & JMFC.,  
Nanjangud.

21.11.2022