

ORDER

The plaintiff has filed this suit against the defendants for the relief of declaration in respect to the suit schedule property.

The plaintiff has also filed IA.No.I under Order 39 Rule 1 and 2 R/w 151 of C.P.C, pleased to pass an order of Temporary injunction restraining the defendants, their agents, servants or any other persons claiming through them from alienating the suit schedule properties in favour of third persons by way of lease, sale, sale agreement, hypothecation or any mode of transaction or creating encumbrance over the same, till pending disposal of the suit.

The plaintiff has produced the copy of sale deed dated 05/07/1935 and 10/01/1989, RTCs, panchayath paluparikath, sale deed dated 17/08/2013 and EC etc.

On perusal of the pleadings and the documents filed by the plaintiff, this court is of the opinion that, the plaintiff has- not made out prima-facie case at this stage to grant temporary injunction. It is necessary to hear both sides before passing any order. Therefore, by considering the facts and circumstances, I proceed to pass the following:

ORDER

Issue emergent notice on IA.No.I and suit summons to the defendants.

Returnable by:

**I Addl. Civil Judge & J.M.F.C.,
T.Narasipura.**