

ORDERS

The plaintiffs have filed this suit against the defendants for the relief of partition and separate possession in respect of the suit schedule properties.

2. The plaintiffs have filed I.A.No.II U/O.39, Rule 1 and 2 of C.P.C., praying to grant ex-parte ad-interim temporary injunction order in favour of plaintiffs and against the defendant No.5, 6 & 9, their representatives, agents, P.A holders or any other persons acting on their behalf from alienating the suit schedule properties in any manner till pending disposal of the suit.

3. The plaintiffs have produced Genealogical tree, copy of Partition Deed dated:19.12.2024, R.T.C extracts, Endorsement, Mutation register extracts.

4. On perusal of the pleadings and documents filed by the plaintiffs, it is crystal clear that presently the I.A./item No.1 to 4 & 16 of the suit schedule properties are standing in the name of defendant No.6, item No.5 to

7, 10, 14, 15 & 20 of the suit schedule properties are standing in the name of defendant No.5, item No.8, 9, 11 to 13, 17 to 19 of the suit schedule properties are standing in the name of defendant No.9 Now the defendants are trying to alienating the suit schedule properties to third person. At this stage, this Court is of the opinion that, the plaintiffs have made out prima-facie case to grant temporary injunction. If temporary injunction is not granted as prayed, the purpose of filing the suit would be defeated and also it would cause hardship and inconvenience to the plaintiffs. Thus, ex-parte temporary injunction may be granted by dispensing with the notice to the defendants on I.A.No.II as the very object of granting injunction would be defeated by delay if notice is issued. Therefore, by considering the facts and circumstances, I proceed to pass the following:-

ORDER

Issue ad-interim temporary injunction against the defendant No.5, 6 & 9, their representatives, agents, P.A holders or any other

persons acting on their behalf are hereby restrained from not to alienate the suit schedule properties in any manner till next date of hearing.

The plaintiffs are hereby directed to compliance under Order 39 Rule 3(a) of C.P.C.

Issue T.I Order on I.A.No.II and suit summons to the defendants.

Returnable by: 12.06.2025.

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