

ORDER

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

The plaintiff has also filed I.A.No.I under Order 39 Rule 1 and 2 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, RTC, endorsement issued by Ankanahalli Gramapanchayath and copy of complaint.

On perusal of the pleadings and the documents filed by the plaintiff, this court is of the opinion that, the plaintiff have 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 I.A.No.I and suit summons to the defendants.

Returnable by:

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