

## Order

Heard advocate for the plaintiff on IA No-1 & 2. Plaintiffs have filed the suit for partition and separate possession of their shares in the suit properties stating that they are the ancestral properties of the plaintiffs and defendants.

2. Since the defendants No-2 to 4 are minors, as such plaintiffs have filed IA No-I U/o 32 Rule 3 & 4 of CPC and sought to appoint defendant No-1 as guardian of minor defendants No-2 to 4.

3. In support of IA No-I the plaintiff No-1 has filed her affidavit contending that the defendant No-1 is natural mother of the defendants No-2 to 4. In view of the same and defendant No-1 being the natural guardian of defendants No-2 to 4 it is necessary to appoint her as minor guardian of defendants No-2 to 4 in the ends of justice. Therefore, IA No-I is allowed.

4. The plaintiffs have filed IA No-2 U/o 39 Rule 1 & 2 CPC seeking an order of temporary injunction against the defendants from alienating the suit schedule properties. In support of it, the plaintiff No-1 has filed her affidavit on her behalf and on behalf of the plaintiff No-2. The plaintiffs have also filed record of rights pertaining to the suit schedule properties.

5. On perusal of the order sheet it is mentioned by the office that there is no caveat in respect of suit properties as well as against the plaintiffs. Since the plaintiffs have filed the suit for partition and separate possession and at this juncture prior issuance of notice is dispensed with. In order to protect the suit properties and in

order to avoid multiplicity of proceedings it is necessary to injunct the defendants by way of temporary injunction from alienating the suit schedule properties. Therefore I proceed to pass the following:

### ORDER

The defendants are hereby restrained by an order of temporary injunction from alienating the suit schedule properties till next date of hearing.

The plaintiffs have to comply under Order 39 Rule 3 of CPC.

Issue suit summons and notice on IA No-1 & 2 along with temporary injunction order to the defendants.

Addl. Sr.Civil Judge, Raichur.