

ORDER

Heard on IA No.1. Perused the plaint averment, IA No. 1 filed U/o 39 Rule 1 and 2 R/w 151 of CPC accompanying with affidavit and documents produced by the plaintiff.

This is suit filed by the plaintiff against the defendants for the relief of partition and separate possession of 1/3rd share in the suit properties.

The plaintiff has filed the IA No.1 U/o 39 Rule 1 and 2 R/w 151 of CPC along with the plaint seeking ad-interim ex-parte TI restraining the defendants from alienating the suit properties till pending disposal of suit. The plaintiff has pleaded in the plaint that the suit properties are joint family properties of plaintiff and defendants and the suit properties were standing in the name of defendants. If the defendants are alienating the suit properties, the purpose of filing the suit will be defeated and also leads to multiplicity of proceedings. The plaintiff has made out sufficient grounds to grant ex-parte TI order at this stage. Hence I proceed to pass the following :

ORDER

The defendants are hereby restrained from alienating the suit properties till filing of written statement.

The plaintiff is hereby directed to comply with order 39 Rule 3(A) of CPC.

Issue TI notice on IA No.1 and suit summons to all the defendants. R/by 10-10-2019.

III-Addl, Sr. C.J. & JMFC,
Raichur.